Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

Articles

Studia Iuridica Lublinensia vol. 35, 1, 2026
DOI: 10.17951/sil.2026.35.1.63-87

Maho Furakawa
Chuo University (Tokyo), Japan
a21.bktc@g.chuo-u.ac.jp

J. Patrick Higgins
University of Lodz, Poland
ORCID: 0000-0003-4405-2614
pat.higgins2014@gmail.com

Marek Tracz-Tryniecki
University of Lodz, Poland
ORCID: 0000-0002-7622-8381
mtracz@wpia.uni.lodz.pl

Good Organizations and Good Governance: A Critical and Doctrinal Introduction to the First Part of Stroynowski's "Speech in Defense of the Constitution of 3 May 1791"

Dobre organizacje i dobre rządzenie. Krytyczne i doktrynalne wprowadzenie do pierwszej części „Mowy o Konstytucji Rządu 3 maja 1791 roku" Stroynowskiego

CORRESPONDENCE ADDRESS: Maho Furakawa, Chuo University (Tokyo), Faculty of Law, 742-1 Higashinakano, Hachioji-shi, Tokyo 192-0393, Japan; J. Patrick Higgins, PhD, University of Lodz, Faculty of Law and Administration, Center for Anglo-American Legal Tradition, Stefana Kopcińskiego 8/12, 90-033 Lodz, Poland; Marek Tracz-Tryniecki PhD, Dr. Habil., University Professor, University of Lodz, Faculty of Law and Administration, Stefana Kopcińskiego 8/12, 90-033 Lodz, Poland.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

ABSTRACT

The question of how to create good organizations and good government is a perennial one. The authors argue that both issues are addressed in the First Part of Hieronim Stroynowski's *Speech in Defense of the Constitution of 3 May*, delivered on 1 July 1791. The Constitution of 3 May was an attempt both to modernize old ideas about human nature and human freedom and to establish new political institutions, namely a constitutional monarchy with a unique take on the tripartite separation of powers. However, like its American and French counterparts, the Constitution was not immediately and universally accepted. Its supporters therefore undertook extensive efforts to defend and promote it, not only among political elites but throughout society as a whole. The article is intended as a critical introduction to Stroynowski's speech and presents the first full English translation of its first part, which focuses on questions of human nature, freedom, society, and government. As far as the authors are aware, this is the first full English-language translation of this section of the speech, which gives it significant historical value for scholars of the Polish–Lithuanian Commonwealth and of 18th-century political thought. The authors contend, however, that the value of recovering and introducing Stroynowski's work to a contemporary audience is not limited to historians. The text offers a number of important and timeless reflections on fundamental aspects of the human condition that are still resonant today.

Keywords: Constitution of 3 May; comparative constitutionalism; good governance; Hieronim Stroynowski

INTRODUCTION

This article introduces a new English translation of a speech delivered by Hieronim Stroynowski[1] at a public meeting of the University of Vilnius on 1 July 1791, in which he presented his views on the Constitution of 3 May. Stroynowski had been appointed to the Codification Committee by the Four-Year Sejm and was also involved in the legislative work establishing the adoption of the Constitution. He was therefore uniquely positioned to become one of its main public defenders. While Stroynowski may have been defending the Constitution of 3 May in particular, many of his ideas form part of a broader tradition within Western political thought concerning the nature of good governance and good organizations. The article begins with a brief discussion of organizational theory and of what it means to be a "good organization" and to have "good governance", i.e. moral governance. It then examines the historical context in which Stroynowski was working within as well as the political influences on his work. The article subsequently presents a translation of Stroynowski's speech, followed by a brief discussion. Methodologically, the study combines insights from organizational theory, comparative history, and political and legal doctrines.

[1] H. Stroynowski, *Mowa Hieronima Stroynowskiego kanonika kijowskiego o konstytucyi rządu ustanowioney dnia trzeciego i piątego maia R. 1791. czytana na posiedzeniu publicznym Szkoły Główney W. X. Lit. dnia pierwszego lipca R. 1791*, Wilno 1791, https://polona.pl/preview/10a44db-c-7c8f-4c1d-8fda-c54355e7fbf0 (access: 14.2.2025).

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

GOOD ORGANIZATIONS AND GOOD GOVERNANCE

When the nature of organizations is discussed, the name Chester Irving Barnard is invariably among the first to be mentioned. In addition to his distinguished career as president of the New Jersey Bell Telephone Company, Barnard gained prominence as one of the founders of modern organizational theory. With a historical background spanning the period from the Progressive Era to the development of the New Deal in the 1930s, he made a great contribution to organizational theory by inventing the theories of corporation, authority acceptance theory, and organizational equilibrium.[2] Today, many societies can be described as organizational societies, in which large-scale corporate systems play a central role. Since their emergence, these systems have generated a number of significant social and organizational tensions. Questions concerning their purpose, the nature of management, and the social responsibility of managers remain subjects of intense debate. In this context, Barnard's ideas continue to exert considerable influence and retain their relevance for contemporary discussions of organizations and governance.

It would be one thing to compare Barnard's organizational theory, which was more practical than scholarly, with that of Herbert A. Simon, a business scholar who stood alongside him, but it must be said that it is quite rough to compare and examine the state as a kind of organization by applying it to organizational theory. Barnard (or Simon) was a business practitioner, not a politician, and Stroynowski was in legal academia, partially a politician, and not an executive. However, there is no doubt that they at least considered organizations in a broad sense, and it could be considered that there might be something in common between Barnard, who considered human morality as the basis of his theory, and Stroynowski, who deeply considered natural order and natural rights.

1. Three elements of organization

An organization is characterized by a structured division of roles and the coordination of individual activities to achieve a common goal. These characteristics are called the "division of labor" and "coordination", and play a major role in the effective functioning of any organization. An organization is constituted by "three elements of organization" explained later, namely communication, willingness to cooperate, and a common purpose. An organization functions effectively when each individual's role and work are clearly defined. On the other hand, a group is characterized by people gathering at the same time and in the same place by chance, regardless of whether there is a common goal within the group. In addition, each member of a group is completely independent, and it is not necessary for them to

[2] T. Kishida, M. Tanaka, *The History of Management Theories*, Tokyo 2009, pp. 116–118.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

communicate with each other and work together to achieve a goal. In other words, a group is a collection of independent individuals, and an organization is a group that has built a "cooperation" system.

In *The Functions of the Executive*, Barnard appropriately defined an organization as a system of consciously coordinated activities carried out by two or more individuals. He explained an organization through the concept of corporation. In other words, people are inevitably physically limited and in terms of their abilities, and because of this, there is a possibility that they will not be able to achieve their goals as there is a physical limit for one person. However, if several people come together, pool their strengths, and cooperate with each other, the possibility of achieving their goals will increase. He thought that an organization is formed when such people come together and work together for a goal, that is, by working together.

Therefore, there is no doubt that a state is an organization. A state is formed by multiple people and works toward the common goal of achieving a good and solid constitution and consciously adjusts each activity through the firm balance of legislative, executive, and judicial powers.

Every organization is ultimately composed of individuals. In a company, they are called employees, and in a state, they are called citizens. The idea of "autonomy" generally starts with the following: an individual's thoughts and actions are the result of his or her own decision and are not subject to anyone's control. An individual is socially autonomous to the extent that he or she consciously and critically evaluates the pressures and norms he or she faces, and as a result of autonomous and rational deliberation, solidifies his or her own intentions and reaches a concrete decision. In the social sphere, especially in the political sphere, it is understood in connection with morality (autonomy of the will and its results) combined with "active exercise of thinking power" (Spinoza) and "universal moral principles" (Kant), as well as supports the idea of the "freedom of choice" of individuals based on human "reason", and ultimately forms the basis of the assumption of "free, equal and independent individuals" in modern liberalism.[3]

Barnard criticized the traditional assumption of *homo economicus*, according to which workers are motivated only by their salary and working conditions. In his view, individuals within organizations cannot be understood as mechanistic components of a larger system. Rather, they are complex human beings with motivations for self-realization. They have both autonomous and positive aspects as well as simultaneously opposing heteronomous and negative aspects. Economic men are also human beings who exercise a certain degree of choice toward the realization of each individual's varying motivations, while being restricted by the personality formed based on past experiences. Barnard defined humans as physical, biological,

[3] N. Nakayama, *A Consideration of Choice and Autonomy: Preference and Capability Approach*, "Ritsumeikan Language and Culture Studies" 2012, vol. 23(4), p. 202.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

and social beings who have free will and a certain degree of choice and who try to achieve their goals. This is called the holistic hypothesis, which states that humans are holistic beings who act based on their own will, and that such humans recognize the benefits of cooperation.[4]

The Hawthorne experiments, conducted by Elton Mayo over a period of five years beginning in 1927,[5] suggested that workers' satisfaction and sense of belonging have a significant impact on work efficiency, and that the psychological and social aspects of humans should be emphasized. Furthermore, Fritz J. Roethlisberger, one of Mayo's collaborators, developed human relations theory. He argued that human behavior is determined by reactions that are mediated by attitudes or emotions, and that these attitudes and emotions are determined by the individual's past experiences and the situation of the surrounding workplace group. This perspective is often referred to as the concept of the "social man". Indeed, in terms of brain science, there is a great deal of debate as to whether humans truly act based on free will. Not long ago, researchers at Stanford University caused a great stir by concluding that human behavior is determined by brain signals and that free will does not exist.[6] There is also a frequent debate between so-called free will theory and determinism, but we should leave that debate aside for now.

In any case, the findings of the Hawthorne studies had a significant influence on Barnard's thinking. One of his most important achievements was the formulation of the three essential elements of organizational formation: cooperation, common purpose, and communication. According to Barnard, these elements are necessary conditions for the existence and effective functioning of any organization.

The first element is cooperation. Terms such as "loyalty" and "organizational strength" are often used in this context. Cooperation refers to the willingness of individuals to contribute their efforts toward the achievement of an organization's purpose, including not only contributions to the organization as a whole but also to teams and colleagues within it. It may therefore be understood as the disposition of organizational members to work jointly toward shared objectives while supporting one another in the process. Since an organization is defined as "a system of consciously coordinated activities or forces of two or more persons", cooperation is a necessary condition for organizational existence. Without a willingness to cooperate among its members, a collection of individuals cannot meaningfully be described as an organization.

[4] B. Chester, *The Functions of the Executive*, Cambridge 1938, pp. 8–19.

[5] Harvard Business School, *The Humans Relations Movement: Harvard Business School and the Hawthorne Experiments (1924–1933)*, https://www.library.hbs.edu/hc/hawthorne/intro.html (access: 21.12.2024).

[6] R. Sapolsky, *Determined: A Science of Life Without Free Will*, London 2023.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

The second element is the organization's common purpose. When the interests and purposes of each member match the role and purpose of the organization, each individual will participate in and contribute to the organization. Since organizations are composed of autonomous individuals, participation is ultimately a matter of choice. If members do not see the meaning of continuing to participate in the organization and leave it, the organization cannot be sustained. If people withdraw their involvement of continuing to participate in the state, the state cannot be sustained. In other words, it is necessary to clarify what people expect from the organization they belong to, and it can be properly maintained by providing sufficient motivation for participation. A state is a community formed by a group of people living in a certain area with the purpose of ensuring the safety of their lives and livelihoods as well as preventing the invasion of foreign enemies. Therefore, it becomes necessary to protect it. And in order to protect the civil order of this society, the leader of the community is selected in some form, and natural rights are clarified as a codification by a civil constitution that serves as the basis for operation, and it is clearly stipulated that all people have rights and obligations that are formed inherently or by free agreement and that they act in accordance with them. In that sense, the Constitution of 3 May was groundbreaking, even if it was in effect for less than two years. It was clearly written. An organization functions normally when each internal component "divides labor" and "adjusts" with each other.

In *The Spirit of the Laws*, Montesquieu distinguished three types of governmental power: legislative, executive, and judicial. Building on this tradition, Stroynowski stated in his speech that "the true essence of a constitution is a system in which the legislative, executive, and judicial powers are exercised in an orderly and virtuous manner, without violating the complete unity and virtue of the government, which guarantees both the integrity of the state and the freedom of the people". Japanese constitutional and legal theory also recognized the role that law can play in promoting the moral growth of the nation, both in the Meiji Constitution (1889) and the *Kyōiku ni kansuru chokugo* (Imperial Rescript on Education, 1890).[7] Both the Poles and the Japanese came to embrace Montesquieu's tripartite division of powers: that the constitution exists because the three powers are completely independent and maintain a balance while checking each other. Arbitrariness must be eliminated from this, and the boundaries of each power must be drawn geometrically, so to speak. For this reason, it is not possible, for example, for all powers (sovereignty) to be held by the Emperor (Article 4 of the Constitution of the Empire of Japan), for the Emperor to exercise legislative power with the

[7] National Diet Library, The Constitution of the Empire of Japan, https://www.ndl.go.jp/constitution/e/etc/c02.html (access: 21.12.2024). For a translation and discussion of the Imperial Rescript on Education, see B. Kikuchi, *Japanese Education: Lectures Delivered in the University of London*, London 1909, pp. 2–10.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

support of the Imperial Diet (Article 37), for the courts to exercise judicial power in the Emperor's name (Article 57), and for the Emperor to exercise administrative power with the assistance of the Ministers of State (Article 55).[8]

The third element is communication. It is essential for sharing information among members and can be said to be an essential element for running an organization, too. Communication plays a role in connecting the other two elements, common purpose and willingness to cooperate, and contributes to cooperation within the organization. Barnard said that "an organization without communication is destined to decline", but communication must be used to prevent misunderstandings and confusion within the organization, and it is self-evident that it is essential for a nation.

The balance of the above three elements of an organization constitutes the precondition for the existence of an organization. Without such a balance, sustained organizational life is not possible.

2. Good governance as leadership with morals

Stroynowski described the leader of a nation[9] as the individual entrusted with the highest political authority within a political community, ideally established on the basis of collective or representative decision-making. Such a leader should be "enlightened by the experience of many centuries and nations, knowledgeable in the true and natural principles of society, endowed with the full virtue of reason necessary to comprehend complex relations, and capable both of formulating a sound constitution of government and of persuading others to adopt it effectively". Without such qualities, he argued, the state risks degeneration into either anarchy or tyranny. A leader must be a virtuous person and must be able to see into the true nature of things.

In recent years, the theory of authentic leadership has attracted increasing scholarly attention.[10] It emphasizes that a leader should be true to himself and a just leader: one who is true to his own values and ethics, passionate about his goals, and a good team builder and manager. A related concern can already be found in Barnard's discussion of executive morality in *The Functions of the Executives*, particularly

[8] National Diet Library, *op. cit*. It should be noted that in the Polish literature, the Meiji Constitution is compared with the Constitution of 3 May by Ewa Pałasz-Rutkowska (*„Wyjątkowa" pozycja monarchy Japonii nakreślona przez konstytucję Meiji – studium porównawcze*, "Japonica" 1994, no. 2, pp. 29–38).

[9] A leader may be variously referred to as a king, emperor, prime minister, president, etc., depending on the system. As a side note, Japan is the only country in the world that has an "emperor". He has no political power, but is a symbol.

[10] In 2003, Bill George, former CEO of Medtronic, published *Authentic Leadership: Rediscovering the Secrets to Creating Lasting Value*, in which outlined he described a leadership approach suited to a diverse society and the challenges of an increasingly volatile, uncertain, complex, and ambiguous (VUCA) environment.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

in Chapter 17.[11] Fueled by the Great Depression that began in 1929, workers were suspicious of and criticized the moral and ethical values of management, claiming that management was making people work like slaves for low wages. This book, published at a time when the conflict between executives and workers was intensifying, could be seen as a statement to the workers. Barnard's moral view is that the survival of an organization is proportional to the moral integrity of its leaders. This is like Stroynowski's desire for a virtuous leader. "It is only with the heart that one can see rightly. What is essential is invisible to the eye", is a line from Antoine Saint-Exupéry's *The Little Prince*.[12] It is exactly as it sounds; it can be said that invisible morality drives organizations and nations.

HIERONIM STROYNOWSKI: ENLIGHTENED LEGAL SCHOLAR, TEACHER, AND PUBLIC SERVANT

Hieronim Stroynowski lived during a period of profound intellectual transformation, not only in Poland but across Europe. Enlightenment ideas and the works of the philosophes were beginning to take root, with societies on both sides of the Atlantic increasingly called for political and social change. Stroynowski not merely a witness to these developments but also an active participant in them. He sought to draw on the classical republican tradition in order to contribute to the construction of a more coherent political and legal system, first as a teacher, then as a public servant dedicated to reform, and finally as a reformer who contributed to the Constitution of 3 May and later defended its ideas.

This part of the article is divided into two parts. The first provides a historical background intended to clarify Stroynowski's intellectual formation and political experience. The second offers a more focused discussion of the principal political and legal doctrines that shaped his thought.

1. Hieronim Stroynowski: the man and his times

The author of the translated speech, Hieronim Stroynowski, was a leading Polish legal scholar of his time.[13] He was born into an old noble family in 1752, and his life was closely connected with both academia and the Catholic Church. He was educated in Piarist schools and soon proved to be a promising student. At the

[11] Barnard Chester, *op. cit.*, pp. 235–257.

[12] A. Saint-Exupéry, *The Little Prince*, https://blogs.ubc.ca/edcp508/files/2016/02/TheLittlePrince.pdf (access: 14.2.2025), p. 48.

[13] This short biographical information is mostly based on a very insightful monograph by Artur Jan Kukuła, *Hieronim hrabia Stroynowski. Prawnik – ekonomista – fizjokrata (1752–1815)*, Lublin 2009. Also, two additional works have been used subsidiarily: E.M. Ziółek, *Wstęp*, [in:]

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

age of 14, he joined the Piarist Order, and he was ordained a priest in 1776, what additionally intensified his both religious and intellectual formation. At that time, Piarists schools in Poland were undergoing reform under Stanisław Konarski, a key Enlightenment advocate of educational and political change in the Polish–Lithuanian Commonwealth. Stroynowski began teaching in schools run by the Piarist Order in 1771, and was subsequently transferred to the elite Collegium Nobilium in Warsaw, where he taught, inter alia, logic, geometry, moral science, law, and political subjects from 1774 to 1780. His legal instruction included civil law, natural law, political law, the law of nations (international law), and political economy. During this period, he also began preparing his textbook for his legal courses.[14]

At that time Stroynowski's legal courses attracted the attention of the newly established Commission of National Education, a state authority responsible for public education and committed to implementing reforms inspired, among other intellectual currents, by physiocracy. Thus, in 1780, he was sent to the University of Vilnius[15] to become a professor at the Department of the Law of Nature and Political Economy. At the beginning of his Vilnius period, however, he was transferred in 1781 to Kraków for two years in order to supervise in the preparation of teachers for the new education system. During this period, he met famous Polish Enlightenment political thinker Hugo Kołłątaj and other physiocratic legal academics. Stroynowski also managed to obtain doctorates in theology, civil law, and canon law at the University of Kraków (then known as the Principal School of the Crown).

From 1783 onwards, Stroynowski finally started to give regular lectures in Vilnius on the law of nature and the law of nations. During this period, he published his most famous work, *The Science of Natural Law, Political Law, Political Economy, and the Law of Nations*,[16] which had developed from a script he began preparing in the late 1770s. The work was reissued in 1791 and several times at the beginning of the 19th century, also in Russian translation. Stroynowski developed this work in close intellectual cooperation with Joachim Chreptowicz, Grand Chancellor of Lithuania, who maintained personal relations with French physiocrats such as François Quesnay and Pierre Samuel du Pont de Nemours. In 1787–1788, Stroynowski travelled to Italy for health reasons. He used this opportunity to es-

Mowa o Konstytucji Rządu 3 maja 1791 roku, eds. H. Strynowski, E. Ziółek, Lublin 2009, pp. 5–30; A. Marchwiński, *Poglądy filozoficzno-prawne Hieronima Stroynowskiego*, Warszawa 1930.

[14] See the manuscript of this version: H. Stroynowski, *Zbiór prawa: I. Przyrodzonego, II. Politycznego, III. Narodów*, 1780, https://polona.pl/item-view/ee1fa223-8a98-4e67-97c4-485727c0d4ba?page=5 (access: 17.2.2025).

[15] After the education reform, this University was named as the Principal School of the Grand Duchy of Lithuania.

[16] H. Stroynowski, *Nauka Prawa Przyrodzonego, Politycznego, Ekonomiki Polityczney, i Prawa Narodów*, Wilno 1785, https://polona.pl/item-view/9b0ce06c-477c-4a3b-b1b1-4d387efb6abf?page=4 (access: 17.2.2025).

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

tablish contacts with Italian scholars and academies. During this period, he met, among others, Cesare Beccaria and Gaetano Filangieri, and became a member of academies in Florence and Rome (Accademia dell'Arcadia).

Another interruption in Stroynowski's academic lectures in Vilnius occurred during the period of the Great Sejm, particularly in 1790–1792, when he called upon to participate in legislative work, including service in the Codification Deputation. As a result, he spent a significant part of this period in Warsaw. He cooperated in the preparation of the *Project on the Form of Government* (*Projekt do formy rządu*, 1790), the Act of 28 May 1791 on Sejm Courts (*Sądy sejmowe*), and the unfinished codification project known as the Code of King Stanisław Augustus (*Kodeks Stanisława Augusta*). It is also assumed that he took part in the preparation of the Constitution of 3 May.[17] It should also be added that Hieronim's brother, Walerian, was elected as a member of the Great Sejm and actively supported the new Constitution. Hieronim himself joined the Assembly of Friends of the Government Constitution (*Zgromadzenie Przyjaciół Konstytucji Rządowej*). He consistently supported the Polish way of social and political reforms through gradual changes, which he contrasted with the revolutionary developments in France, which he openly criticized.[18]

A particularly important aspect of Stroynowski's involvement in the Constitution of 3 May was his speech, which supported and explained the new constitutional act. It was delivered in Vilnius on 1 June 1791 and attracted considerable public interest.[19] The King ordered its publication.[20] The speech is composed of three main parts: the first explains the principles of constitutional doctrine, the second analyses the provisions of the Constitution, and the third responds to the arguments of its critics. A translation of the first part of this speech, which we hope will be accessible to readers not familiar with the details of early modern Polish constitutionalism, is presented below.

The collapse of the Polish–Lithuanian Commonwealth did not bring Stroynowski's career to an end. He served as a rector of the University of Vilnius from 1799 to 1806 (an institution that retained its Polish character within the Russian Empire at the beginning of 19th century) and later became Bishop of Vilnius. Hieronim Stroynowski died in 1815.

[17] A.J. Kukuła, *Hieronim hrabia Stroynowski…*, pp. 112–113.

[18] *Ibidem*, pp. 123–124.

[19] *Ibidem*, pp. 113–114.

[20] See the original text of the speech: H. Stroynowski, *Mowa Hieronima Stroynowskiego…*, p. 25. The critical edition of the speech was published in 2009 in the edition of Ewa M. Ziółek. See H. Stroynowski, *Mowa o Konstytucji Rządu 3 maja 1791 roku*, Lublin 2009. We have taken into consideration both editions in our translation.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

2. Political and philosophical influences on Stroynowski's work

By the mid-18th century, the Polish–Lithuanian Commonwealth was increasingly shaped by a reformist spirit and a growing need to think boldly about new ideas, institutions, and social practices. During the period of the Saxon dynasty, the Commonwealth experienced a continued decline, gradually becoming heavily dependent on the Russian Empire.[21] As a result, many Polish thinkers turned abroad for inspiration about how to recover and reform their nation. Stroynowski's formative years were therefore shaped both by developments in political thought and by significant political events. Although the Commonwealth was not directly involved in the Seven Years' War (1756–1763), the conflict contributed to the emergence of Prussia and Russia as dominant European powers, which had severe consequences for the Commonwealth. Shortly before Stroynowski's twelfth birthday, Stanisław August Poniatowski was elected king on 7 September 1764 in a contested election. Although his candidacy was supported by both Prussia and Russia, he also himself shared secret hopes of reforming the country from within.[22]

The new monarch, Stanisław August Poniatowski, was well-educated in the Enlightenment ideas as well as well-travelled throughout Europe,[23] including England, and saw numerous opportunities to reform the nation. However, some of his more radical and aggressive reforms angered some of the more conservative parts of the nobility, which rose up in the civil war named the Bar Confederation (1768–1772), which precipitated the First Partition of Poland.

The Bar Confederation also indirectly contributed to the emergence of a major political work that influenced Stroynowski's thought and Polish political discourse more broadly: Jean-Jacques Rousseau's *Considerations on the Government of Poland* (1772). Though Rousseau was commissioned to write the work by Michał Wielhorski in 1770 as a plan for the Bar Confederation to rebuild the Commonwealth, he also provided a comprehensive analysis of Polish politics and proposed reforms that different sides would have agreed to. The work provided Rousseau with an opportunity to apply his theory of the social contract to a concrete political context, thereby contributing not only to interpretations of the Polish–Lithuanian Commonwealth but also to the development of his own political thought.[24] Rather than proposing a radical reconstruction of Poland along abstract Enlightenment prin-

[21] D. Stone, *The Polish–Lithuanian State, 1386–1795*, Seattle–London 2001, pp. 245–256; N. Davies, *God's Playground: A History of Poland*, vol. 1: *The Origins to 1795*, Oxford 2005, pp. 371–380.

[22] N. Davies, *op. cit.*, pp. 385, 388–390.

[23] R. Butterwick, *The Constitution of 3 May 1791: Testament of the Polish–Lithuanian Commonwealth*, Warsaw 2021, p. 58.

[24] G. Petersen, *Reclaiming Rousseau: "The Government of Poland's" Relevance for Modern Anthropology*, "Dialectical Anthropology" 1995, vol. 20, pp. 247–283; J. Michalski, *Rousseau and Polish Republicanism*, Warsaw 2015, p. 44.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

ciples, Rousseau sought instead to reinterpret many of Polish historical values and institutions. In particular, he suggested that the political culture of the the *szlachta*, with its emphasis on individual liberty combined with a notion of collective sovereignty, bore certain affinities with his concept of the "general will".[25] As Anna Grześkowiak-Krwawicz has observed, the concept of the Sejm functioning as the "absolute monarch" of the Commonwealth – the representative of the collective will of the *szlachta* – had been a deeper part of *szlachta* political ideology even if it was not always clearly enunciated.[26]

This interpretation conferred the Polish government legitimacy as already being connected with the will of the people, it also meant that only moderate reforms were needed, rather than outright evolution of the political system. Rousseau himself warned: "Brave Poles, beware; beware that for wanting to be too well, you might make your situation worse. In considering what you want to acquire, do not forget what you can lose. Correct, if possible, the abuses of your constitution; but do not despise the one that has made you what you are".[27]

In this spirit of pragmatic constitutionalism, Rousseau did not unequivocally argue for the removal of King Stanisław August Poniatowski as the ultimate objective of the Bar Confederation. Instead, he appeared to suggest that it might be preferable to retain the monarch in order to preserve stability, while limiting his powers and undertaking systemic reforms that could be consolidated by future generations.[28] Rousseau thus drew a clear distinction between the existing political reality of the Commonwealth and the reform proposals advanced by himself and others. In his view, political reality was an ad hoc process, with the state not having evolved with a singular goal or purpose in mind, but rather as a series of reactions to various events and through the uncoordinated will of various kings and *szlachta* over the centuries. This lack of coordination was not only highly wasteful, but also allowed for the "multiplying" of abuses. As a new problem arose, a new law had to be created, however this law may be incompatible with other laws, and further diluted the law through the increasing creation of more and more law, with more and more inconsistencies. What was unique about the Commonwealth was that its legislature had weakened despite having a relatively weak king. What Rousseau was calling for, essentially, was to strengthen the legislature and to create a new

[25] J. Michalski, *op. cit.*, pp. 50–51.

[26] A. Grześkowiak-Krwawicz, *Queen Liberty: The Concept of Freedom in the Polish–Lithuanian Commonwealth*, Leiden 2012, p. 53.

[27] J.-J. Rousseau, *The Plan for Perpetual Peace, On the Government of Poland, and Other Writings on History and Politics*, [in:] *The Collected Writings of Rousseau*, vol. 2, Hanover 2005, p. 170.

[28] *Ibidem*, p. 239.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

document that would reset the equilibrium of the Commonwealth.[29] In other words, a new constitution.

Ironically, the devastating loss of many parts of the Commonwealth to Russia, Prussia, and Habsburg Austria weakened internal resistance to Stanisław Augusts' reforms, and in 1773 he established the Commission of National Education, of which Stroynowski became a member.[30] This institution can arguably be considered as not only the first modern educational ministry in European history,[31] but also played a major role in spreading the ideas of the Enlightenment, and would certainly have a large impact on 21-year-old Stroynowski. He became known and praised as a "man of the Enlightenment" *par excellence* who was well-versed in the work of Voltaire and Rousseau.[32] Stroynowski became a strong advocate of natural law, which not only governed the relationship of citizens and the state, but also the relationship of states with each other.[33]

The next major impetus for the development of political and legal thought in the Commonwealth was the American Revolution (1775–1783). Not only were many important Polish scholar-statesman participants in the war such as Tadeusz Kościuszko,[34] but it was very clear to the Poles that the Americans were also inspired by a combination of the Enlightenment and natural law, and in fact defended many common values held by Poles, such as limited government, rule of law, personal freedom, the right to own and control one's own property, and that government had to be "natural" and connected to the will of the people. The American Revolution and its aftermath provided a test case wherein the principles of the Enlightenment were taken seriously and attempted to be put into practice.[35]

Stroynowski's major work, published in 1785, *The Science of Natural Law, Political Law, Political Economy, and the Law of Nations*, allowed him to organize and synthesize his various insights together. He advocated for many positions that

[29] *Ibidem*, p. 186.

[30] M. Janowski, *Polish Liberal Thought Before 1918*, Budapest 2004, p. 11.

[31] For a more nuanced discussion of the Commission of National Education, see K. Bartnicka, K. Dormus, *The Commission of National Education and Its Transformation in the Years 1773–1794*, "Rozprawy z Dziejów Oświaty" 2018, vol. 55, pp. 9–60.

[32] A.J. Kukuła, *Hieronim Stroynowski*, "Ars Regia" 2007–2008, vol. 10(17), p. 218.

[33] P. Szymaniec, *Hieronim Stroynowski i Feliks Słotwiński – dwa sposoby postrzegania sprawiedliwości w sprawie narodów na przełomie XVIII i XIX wieku*, "Studia Erasmiana Wratislaviensia" 2012, no. 6, pp. 41–65.

[34] I. Sokol, *The American Revolution and Poland: A Bibliographical Essay*, "The Polish Review" 1967, vol. 3, pp. 3–17; Z. Libiszowska, *Opinia polska. Wobec rewolucji amerykańskiej*, Łódź 1962; M. Haiman, *Poland and the American Revolutionary War*, Chicago 1932; T.G. Raynal, *Historia politycznej rewolucji amerykańskiej*, Warszawa 1783.

[35] For a survey of the role that the American Revolution played in Polish political thought, see M.M. Drozdowski, *Rewolucja amerykańska w polskiej myśli historycznej w historiografii i publicystyce 1776–1976*, Warszawa 1976.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

would be nearly universally adopted by liberal political thought: personal freedom, private property, the sanctity of the contract, and nearly seventy pages of discussion about the necessity of free trade.[36] It is worth briefly discussing the layout of his work, which is divided into four main sections: *On Natural Law*, *On Political Law*, *On Political Economy*, and *On the Law of Nations*. It should be noted that Montesquieu divided "political law" from "civil law", which is a rough distinction of the law natural to each nation (political law) and how government operates (civil law), with the second being somewhat transferable across nations.[37] Furthermore, at least in the Montesquieuian understanding, political law is thus closer to natural law insofar as it is relative to each people and nation, whereas civil law is closer to the modern-day separation of politics from society. The section *On Political Economy* and Stroynowski's defense of free trade demonstrate his familiarity with the physiocrats and their critics, whereas *On the Law of Nations* can be seen as a precursor to what we would now understand as international law.

He was clearly influenced not only by the style of physiocracy but also its substance, particularly the importance of law and of legal reasoning. Stroynowski was one of many Polish thinkers attempting to reconceptualize the relationship between law, politics, the state, and society who were explicitly drawing on the work of French thinkers like Montesquieu and Rousseau to argue that there should be a natural, harmonious relationship between them. However, Stroynowski was generally skeptical that law could shape or educate society, rather than rising naturally from within it.[38] For him, law organically arises from the natural liberty of the human person, and as freedom from government intervention, with the relationship between government and individuals as one of mutual obligations, especially with regard to the possession and usage of property. Stroynowski was thus close to a modern understanding of the state as distinct from civil society or the concept of community, and not as concerned with the individual virtue of the citizens in classical republicanism, which was of interest to many of his contemporaries.[39]

In terms of foreign policy, in the late 1780s to 1790s the Polish–Lithuanian Commonwealth was increasingly aware that any permanent changes, as well as resistance to its absolutist neighbours, could only be possible if there was an international collaboration of republics, though it was ultimately a utopian dream.[40] During this period, there was an extensive transatlantic circulation of political, which intensified in the late 1780s. Americans read, wrote about, and delivered speeches

[36] M. Janowski, *op. cit*.

[37] Montesquieu C.B. de, *The Spirit of Laws*, vol. 1–2, London 1777, vol. 1, Book I, Chapter III.8, and vol. 2, Book XXIX, Chapter XIII, p. 349.

[38] A. Grześkowiak-Krwawicz, *The Political Discourse of the Polish–Lithuanian Commonwealth*, New York 2021, pp. 40, 45, 53, 63.

[39] *Ibidem*, pp. 84–85, 169, 230–231.

[40] F. Venturi, *Utopia and Reform in the Enlightenment*, Cambridge 1971, p. 91.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

concerning Poland, while Polish observers similarly engaged with developments in the United States. The American Constitutional Convention and the Constitution of 1787 were followed with considerable interest in the Commonwealth,[41] and numerous newspapers reported on political events on both sides of the Atlantic.[42]

Throughout the period of political turmoil, Stanisław August remained committed to his reform agenda,[43] and an opportunity for its realization finally arose in 1788. He convened what became known as the Four-Year Sejm, or the Great Sejm, which lasted until 1792 and functioned, in effect, as a constitutional assembly, culminating in the adoption of the Constitution of 3 May 1791.[44] In a speech delivered to the Sejm after the Constitution had been adopted, Stanisław August reportedly stated: "There had been prepared a plan of a Constitution, founded principally on those of England and the United States of America, but avoiding the faults and errors of both, and adapting it as much as possible to the local and particular circumstances of the country".[45]

In the English-speaking world, Stanisław August's role in the adoption of the Constitution of 3 May 1791 was widely praised. Contemporary commentators frequently portrayed the Constitution as transforming the Commonwealth into a political community of citizens rather than subjects.[46] One English daily observed that: "The new Polish constitution appears to have caught its spirit from the American; joined with a little additional power granted to the executive department: it resembles the English constitution only, as that served for the prototype of the American".[47] As in the case of the American constitutional experiment, however, the Constitution of 3 May was not automatically accepted throughout the country. Just as the United States experienced intense debate between Federalists and Anti-Federalists, the adoption of the Constitution in Poland was followed by a period

[41] Z. Libiszowska, *Polska reforma w opinii angielskiej*, [in:] *Sejm Czteroletni i jego tradycje*, ed. J. Kawecki, Warszawa 1991, pp. 63–74; eadem, *The Impact of the American Constitution on Polish Political Opinion of the Late Eighteenth Century*, [in:] *Constitution and Reform in Eighteenth-Century Poland: The Constitution of 3 May 1791*, ed. S. Fiszman, Bloomington 1985, pp. 233–250; eadem, *Echa rewolucji amerykańskiej w Polsce*, [in:] *Ameryka Północna. Studia*, ed. M.M. Drozdowski, vol. 2, Warszawa 1978, pp. 41–53.

[42] "Gazeta Warszawska", 1 July 1775, no. 52, and 8 March 1777, no. 20, p. 3; "Pamiętnik Historyczno-Polityczny", November 1789, pp. 1063–1089; *Extract of a Letter from a Gentleman in London to His Friend in this City, Dated Sept. 25*, "The Connecticut Courant", 10 December 1787, p. 3; A. Hamilton, J. Madison, J. Jay, *The Federalist Papers*, Oxford 2008, p. 187.

[43] R. Butterwick, *op. cit.*, p. 58.

[44] *Ibidem*, pp. 136–138.

[45] *Warsaw, Poland May 7*, "Independent Chronicle", 11 August 1791, vol. 23(1189), p. 2.

[46] "The king of Poland may justly stile himself the Father of his People; the title is not sported with by this illustrious monarch to deceive his children – wise by experience, prudent by example, and enlightened by philosophy, he has taken off the chains of the Poles and hung them up in the temple of liberty" (Cork, 24 January, "Dunlap's American Daily Advertiser" 1792, no. 4054, p. 2).

[47] "The Critical Review or Annals of Literature" 1791, Series 2, vol. 3, p. 443.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

of vigorous political discussion and contestation. Stroynowski's speech should be understood within this context. It was intended both as a defense of the Constitution of 3 May and as an attempt to persuade his audience that it represented a just and well-ordered constitutional settlement. According to Stroynowski's interpretation, the Constitution respected the natural rights of every human being as well as organized a limited government that was in harmony with society as a natural association, but one that was distinct from society itself. In this respect, although the personal virtue of rulers and officeholders remained important within the tradition of classical republican thought, Stroynowski himself was not a moralist who thought that simply improving the virtue of the citizenry would be enough for many political and social problems to simply disappear. His political thinking is thus parallel to many early modern thinkers in that rests at the inflection point between classical republicanism and classical liberal ideas, wherein both believe in the naturalness of individual freedom, which should be respected by political authority and law for them to be both "good" as well as "legitimate". However, classical republicanism employs the language of duties to the community, law, and authority as obligation of citizenship, whereas classical liberalism employs the language of social contractarianism and divides the state from the community.

CONCLUSIONS

The concluding section of Stroynowski's remarks proved remarkably prophetic. In the years that followed, the Polish–Lithuanian Commonwealth became embroiled in civil wars and invasions by Russia, Prussia, and Austria. By 1795, the Commonwealth had disappeared entirely from the map of Europe. The candle of Polish liberty had been extinguished in a sea of despotism. Yet, Stroynowski's defense of the Constitution of 3 May continues to offer important insights that remain relevant today. Moreover, the political, social, and constitutional achievements of the 18th-century Polish–Lithuanian Commonwealth remain severely understudied today.

To summarize Stroynowski's argument briefly, all human beings possess freedom and independence by virtue of their nature. Like Aristotle, Stroynowski believes that human flourishing is only achievable in a just political community that recognizes this freedom. How, then, can this be achieved?

Stroynowski identifies five fundamental principles of government:

1. All people should have their rights (property, the right to freely assemble with others, and the freedom to share one's ideas and opinions) respected by their government and cannot be forced to do anything against their natural freedoms.
2. Government consists of three powers: legislative, executive, and judicial. Since political authority cannot be trusted unconditionally, safeguards against

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

the abuse of power are necessary. These safeguards are provided through the separation of powers, whereby each branch limits and checks the others.

3. There can by only one government (political authority) within a state.
4. Government must not only protect individual rights and freedoms but also promote the physical and moral growth of the nation. It therefore has an educational function, guiding citizens toward what Stroynowski describes as the "light of truth".
5. Government needs an enduring form that organizes political life in the nation. The constitution and the state must endure in order to establish and protect the good life of citizens.

Many of these ideas remain familiar today. The first principle resembles the natural-rights and contractual tradition associated with John Locke, which became influential in France, Britain, and the American colonies. The second comes from the Montesquieu tradition, particularly as it had been adopted by the United States. The fourth principle may appear less familiar to contemporary readers. However, Stroynowski was schooled in the humanist and classical traditions that value the government as a moral institution that should actively promote the good of society and find ways to improve the moral character of the people. Thus, for him, the state is not something that is purely neutral, nor a purely passive reflection of the "will of the people". Rather, he believed that political leaders had a moral obligation to improve it. Finally, Stroynowski understood that constitutions can only be successful if they are able to endure, that is if they are part of a social and political culture that opposes arbitrary power, that respects laws, and that respects the fundamental rights of other fellow citizens.

Final section of Stroynowski's speech evokes Rousseau's argument for universal human liberation by reminding us that freedom is not something that is merely achieved once, and then society enters a state of constant utopia, but rather is something that has to be renewed and fought for in every generation. Though the Polish–Lithuanian Commonwealth's quest for freedom ended in poor organizations and poor governance when it was conquered by despotic nations, the rhetoric and arguments employed by Stroynowski are as poignant as ever. With all the world's contemporary problems: resurgent revanchism in Russia, threats of expansionism by China, backsliding in European and Western democracies to illiberalism, etc., these old struggles for freedom like Stroynowski's are worth remembering and drawing inspiration from.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

APPENDIX

HIERONIM STROYNOWSKI
SPEECH IN DEFENSE OF THE CONSTITUTION OF 3 MAY
PART I
1 JULY 1791

According to their natural order, all people are born free and independent. All men are born equal one to another in both their property rights and rights to freedom. Therefore, being by their natural needs, strength, faculties, inclination, physical condition, they are predestined to society. Everyone naturally has the same mutual rights and duties without which any kind of association would be detrimental and impossible. The propagated human tribe, perfected human strength, physical condition, finally combining various circumstances which in time make tighter society, in which all by clear or whatever other form, unite their strength, wants and material possessions with the aim that everyone is assured and secure that what each person has as their natural endowment, or they may gain through their work, industry or free agreement with whomever. Such a society becomes as if one city, one body, and therefore is called a *civil society*. Here all can see how it is composed of, then, what is the natural order of that civil society that is the *civil constitution* which is based upon what everyone has and should have as well as what they have received from nature or what they acquire by agreement, work and industry, and that everyone has both rights and duties which are either from nature or from free agreement, according to which they should conduct themselves. Another order, another civil constitution would be arbitrary and unjust, it would be the result of blindness, deception and violation rather than the work of nature, reason and justice.

For safeguarding the civil order of society, all people join a public union combining their wills, strength, material possession, and all promise common defense, common contribution, common assistance in general and public needs in such a way that in all these things which relate to public integrity, security and prosperity. There is one popular will and strength which is the indivisible and the supreme authority of the whole association; this supreme authority, although it comes from the combined will and strength of all, however, it could not be directed and conducted by all. The whole nation, either by its clear will or by whatever different way, must confer its supreme authority either to a single person or to a single assembly composed of whatever number of people. The supreme political power, vested to whomever and in whatever way, never is and should never be arbitrary. Its essence, rights and obligations, its scope and borders are clearly exhibited by the natural composition and the order of society, for the protection of which all governmental authority has its origin. Having an unchangeable nature, the popular voice of the whole nation,

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

significant needs and obligations of members of this nation, what we call civil order clearly indicates how the political order should look like, so a system of government, in order not to miss its aim. According to the nature of things, there are three powers of separate action which are necessary in every political society: *legislative*, *executive* and *judicial power*, in which their origin, connection and aim constitute one single and inseparable authority of the nation. Whoever shows to the nation such a system of mentioned above three public authorities and such a way of their action which perpetually safeguards civil order which is useful for everyone, and which came from the natural order, such a person gives a good system and shape so *a good constitution and a good form of government*, namely a good political order originating from the order.

They gifted with higher enlightenment understands what the constitution of government is, they provisioned in the history of nation, who knows inevitability of human diversity in the ways of perceiving things, such a person must accept that the general voice of nation may demand and want government, it [voice of nation] may adopt it [government] and it may experience fortunate and unfortunate consequences of government but it [the voice of the nation] is unable to establish it [government] by itself [the voice of the nation]. This is the first work which the nation must and should entrust to one or more persons who have its trust.

According to the unchanging principles of the natural order, there are accurate and essential features of good constitutional government, as follows: firstly, the political constitution of the government should safeguard a good civil constitution, that is the internal composition of a society and its civil order according to nature and justice, that is: all people in the nation should have their property equally safeguarded and enjoy full freedom to use it [their property], all should inviolably have their natural rights, their rights which come from the bond of association, and their rights acquired by voluntary agreement with whomever. No man could oblige by anything except the obligations which came from natural duties and the duties which came from agreement, thus the obligations which came from the bond of association and voluntary duty based upon the agreement with whoever. And all proprietors of land should be subject to equal contribution for public needs according to the measure and relations which are indicated by the nature of thing. No political constitution can be good and lasting without that very first and essential principle which is commanded by the sacred laws of nature.

Secondly, in a good constitution of government, three political powers, legislative, executive, and judicial, should be organized with the aim that each of them, separately exercised, each powers' matter, scope, boundaries and relations are not arbitrarily determined, but according to nature of things with geometrical, so to speak precisely.

So that none of them is arbitrary, but each of them is completely virtuous and efficient according to its aim and purpose, with everything which is required by the

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

security and the prosperity of the nation. In order to not have struggle and contradiction among public powers, neither barrier nor obstacles, but indeed all public powers, separated in their activity, pursuing one aim and strictly connected with each other, truly create one government, one inseparable and strong power of the nation. In sum, *the system of ordered and virtuous exercise legislative, executive and judicial power without any violation of the complete unity and the virtuousness of government* is the essence of a true constitution of government which safeguards both the integrity of the nation and freedom of the citizen.

The third principle of a good constitution of government is clearly demonstrated to us by nature in all of its works, a composition of basic society among people, and by timeless experience in all human matters, works and deeds. In order to have unity, virtuousness and constancy in the constitution of government, it is necessary to have in it one firm, strong and constant central point (so to speak) in which all government parties are strictly united, in which they strongly support each other, from which they take their permanent and ordered movement. In spite of all the endeavors and brave minds, any constitution of government must be feeble and arbitrary, if there is no single permanent head of a nation and government, if there is no one father, defender and guardian of all the people whose honest and eternal interest, as well as all incentives which rule human heart, are attached to the constancy and happiness of a nation.

The fourth feature of a good and sustainable constitution of government is: whether it guarantees the sustainable enlightenment of the nation and the growth of necessary and useful sciences both physical and moral by permanent and certain public education and instruction, by descent freedom of speech, freedom to write and freedom of press, by means and incentives in the hands of government to spread within a nation the light of truth. The nation which permanently and profoundly enlightens itself can correct mistakes and imperfections which may occur in the constitution of its government. But a nation which remains in the darkness of its ignorance, opinions and mistakes is invariably descent to suffer under the yolk of despotism. The serfdom, the worst ignominy of human nature! seems to be the accurate punishment inflicted on a human person by the Author of human nature when they fail to fill natural duty in the exercise and perfection of the most noble power of reason that they have received.

Finally, the good structure of government requires the establishment of a secure and enduring form, that is a way in which the public authorities are to proceed. The form of government in all details should be completely applied to and call the nature of political authorities, to their layout, aim, object and natural relations.

When, according to the above-mentioned principles, once the constitution of government has been established within the nation, there is no authority in the world which has the right to change its essence. This worst crime against the nation could only be done by the act of gross ignorance or by the result of the barbarity

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

and force of foreign nations. However, the nation which flourishes under the good constitution of government does not nurture in its bosom the inner enemy, that is ignorance and a mistake, and is always watchful and strong against foreign power.

However, such desired work for mankind is rarer than the common opinion. Who, at the beginning when political societies are sticking together, who even of the greatest intelligence could have grasped and guessed (so to speak) government which someday in the future after the long experience of many centuries and of many nations would have been happy children of bold minds who only devote themselves to this question and work? If, at the beginning of nations, due to the shortage of necessary reasons, it had been difficult and had been almost impossible to establish a good constitution of government, later new obstacles would have appeared. Already, not solely ignorance but numerous mistakes, opinions, prejudices which replace truth, and which instill in minds wrongly understood interest, private expectations, passions, incidental benefits, diverted and contaminated inner composition of association, and finally the threat to overthrow, however imperfect but well-founded old government, were terrifying sages and heroes whose nature seemed to predestine them to this great aim.

Whoever wants to consider with diligence the old and current systems of the government of nations would stop to wonder and ask with the philosopher from Geneva:[48] Why is a human person who is free by nature almost everywhere groans in chains? Why do they bear the yoke of slavery made either by inner violence or external powers? Because there is nothing in this world which safeguards the particular freedom of each person and general freedom of the whole nation, except for a true constitution of government, which could not be good and solid unless it is completely in accordance with natural order.

Everything in a nation is dependent on the constitution of the government; the nations differentiate themselves not so much by location of the country, climate, and other accidental features as by the difference in government and legislation. As the constitution of government is, so are its rulers: the monarchs, officials, and citizens. All the miseries and disasters, wars, inner revolutions, rebellions, conspiracies, bloody changes of government and those who governed power, numerals cruelties and poverty, misery, hunger, plagues destroying population, fanaticism, harmful mistakes and opinions, serious ignorance of most important principles, disgraced and trampled natural rights of humankind, spoiled moral order these are the terrible consequences of the deficiency of the constitution of government or the mistakes and defects within it. This is the original sin of nations, whose unfortunate victims become later generations. The history of all nations, after ultimate

[48] Here Stroynowski is paraphrasing Rousseau's famous adage: "Man is born free; and everywhere he is in chains". See J.-J. Rousseau, *The Social Contract and Discourses*, London–Toronto 1923 [1761], p. 35.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

and diligent analysis of all events, demonstrates to us the truth that in each political society that does not have its constitution of government in accordance with nature, either natural human freedom permanently fights with arbitrary power or complete anarchy overcomes the whole order or the cruel despotism devours and destroys all the natural gifts and fruits of human labor. All the changes and revolutions in the government of nations which do not have the true constitution of government are nothing else but only changes of despots, without breaking the yoke of despotism? Or the transition from despotism to anarchy? Or from anarchy in returning to more terrible despotism? Or the temporary acquisition of a seemingly free government but sooner or later the change of it into despotism or anarchy? If, after the long fight of freedom against arbitrary power, power wins, the nation goes under the slave yoke of despotism. If freedom weakens and overthrows the strength of power, the nation remains in anarchy, and sooner or later, either from inner or from foreign power, it becomes a root of despotism.

This is the sad destination of every nation in which no man could be found who is enlightened by the experience of many centuries and nations, who knows true and natural principles of society, endowed with complete virtue of reason necessary to grasp all relations, who is able and wants to create a good constitution of government and to persuade others to effectively adopt it.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

REFERENCES

Literature

Bartnicka K., Dormus K., *The Commission of National Education and Its Transformation in the Years 1773–1794*, "Rozprawy z Dziejów Oświaty" 2018, vol. 55.

Butterwick R., *The Constitution of 3 May 1791: Testament of the Polish–Lithuanian Commonwealth*, Warsaw 2021.

Chester B., *The Functions of the Executive*, Cambridge 1938.

Davies N., *God's Playground: A History of Poland*, vol. 1: *The Origins to 1795*, Oxford 2005.

Drozdowski M.M., *Rewolucja amerykańska w polskiej myśli historycznej w historiografii i publicystyce 1776–1976*, Warszawa 1976.

Grześkowiak-Krwawicz A., *Queen Liberty: The Concept of Freedom in the Polish–Lithuanian Commonwealth*, Leiden 2012. **DOI: https://doi.org/10.1163/9789004231221**

Grześkowiak-Krwawicz A., *The Political Discourse of the Polish–Lithuanian Commonwealth*, New York 2021. **DOI: https://doi.org/10.4324/9780367823535**

Haiman M., *Poland and the American Revolutionary War*, Chicago 1932.

Hamilton A., Madison J., Jay J., *The Federalist Papers*, Oxford 2008. **DOI: https://doi.org/10.1057/9780230102019**

Janowski M., *Polish Liberal Thought Before 1918*, Budapest 2004. **DOI: https://doi.org/10.4324/9781003721352**

Kikuchi B., *Japanese Education: Lectures Delivered in the University of London*, London 1909.

Kishida T., Tanaka M., *The History of Management Theories*, Tokyo 2009.

Kukuła A.J., *Hieronim hrabia Stroynowski. Prawnik – ekonomista – fizjokrata (1752–1815)*, Lublin 2009.

Kukuła A.J., *Hieronim Stroynowski*, "Ars Regia" 2007–2008, vol. 10(17).

Libiszowska Z., *Echa rewolucji amerykańskiej w Polsce*, [in:] *Ameryka Północna. Studia*, ed. M.M. Drozdowski, vol. 2, Warszawa 1978.

Libiszowska Z., *Opinia polska. Wobec rewolucji amerykańskiej*, Łódź 1962.

Libiszowska Z., *Polska reforma w opinii angielskiej*, [in:] *Sejm Czteroletni i jego tradycje*, ed. J. Kawecki, Warszawa 1991.

Libiszowska Z., *The Impact of the American Constitution on Polish Political Opinion of the Late Eighteenth Century*, [in:] *Constitution and Reform in Eighteenth-Century Poland: The Constitution of 3 May 1791*, ed. S. Fiszman, Bloomington 1985.

Marchwiński A., *Poglądy filozoficzno-prawne Hieronima Stroynowskiego*, Warszawa 1930.

Michalski J., *Rousseau and Polish Republicanism*, Warsaw 2015.

Montesquieu C.B. de, *The Spirit of Laws*, vol. 1–2, London 1777.

Nakayama N., *A Consideration of Choice and Autonomy: Preference and Capability Approach*, "Ritsumeikan Language and Culture Studies" 2012, vol. 23(4).

Pałasz-Rutkowska E., *„Wyjątkowa" pozycja monarchy Japonii nakreślona przez konstytucję Meiji – studium porównawcze*, "Japonica" 1994, no. 2.

Petersen G., *Reclaiming Rousseau: "The Government of Poland's" Relevance for Modern Anthropology*, "Dialectical Anthropology" 1995, vol. 20. **DOI: https://doi.org/10.1007/BF01298531**

Raynal T.G., *Historia politycznej rewolucji amerykańskiej*, Warszawa 1783.

Rousseau J.-J., *The Plan for Perpetual Peace, On the Government of Poland, and Other Writings on History and Politics*, [in:] *The Collected Writings of Rousseau*, vol. 2, Hanover 2005.

Rousseau J.-J., *The Social Contract and Discourses*, London–Toronto 1923 [1761].

Sapolsky R., *Determined: A Science of Life Without Free Will*, London 2023.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

Sokol I., *The American Revolution and Poland: A Bibliographical Essay*, "The Polish Review" 1967, vol. 3.
Stone D., *The Polish–Lithuanian State, 1386–1795*, Seattle–London 2001.
Stroynowski H., *Mowa o Konstytucji Rządu 3 maja 1791 roku*, Lublin 2009.
Szymaniec P., *Hieronim Stroynowski i Feliks Słotwiński – dwa sposoby postrzegania sprawiedliwości w sprawie narodów na przełomie XVIII i XIX wieku*, "Studia Erasmiana Wratislaviensia" 2012, no. 6.
Venturi F., *Utopia and Reform in the Enlightenment*, Cambridge 1971.
Ziółek E.M., *Wstęp*, [in:] *Mowa o Konstytucji Rządu 3 maja 1791 roku*, eds. H. Strynowski, E. Ziółek, Lublin 2009.

Online sources

Harvard Business School, *The Humans Relations Movement: Harvard Business School and the Hawthorne Experiments (1924–1933)*, https://www.library.hbs.edu/hc/hawthorne/intro.html (access: 21.12.2024).
National Diet Library, The Constitution of the Empire of Japan, https://www.ndl.go.jp/constitution/e/etc/c02.html (access: 21.12.2024).
Saint-Exupéry A., *The Little Prince*, https://blogs.ubc.ca/edcp508/files/2016/02/TheLittlePrince.pdf (access: 14.2.2025).
Stroynowski H., *Mowa Hieronima Stroynowskiego kanonika kijowskiego o konstytucyi rządu ustanowioney dnia trzeciego i piątego maia R. 1791. czytana na posiedzeniu publicznym Szkoły Główney W. X. Lit. dnia pierwszego lipca R. 1791*, Wilno 1791, https://polona.pl/preview/10a-44dbc-7c8f-4c1d-8fda-c54355e7fbf0 (access: 14.2.2025).
Stroynowski H., *Nauka Prawa Przyrodzonego, Politycznego, Ekonomiki Polityczney, i Prawa Narodów*, Wilno 1785, https://polona.pl/item-view/9b0ce06c-477c-4a3b-b1b1-4d387efb6abf?page=4 (access: 17.2.2025).
Stroynowski H., *Zbiór prawa: I. Przyrodzonego, II. Politycznego, III. Narodów*, 1780, https://polona.pl/item-view/ee1fa223-8a98-4e67-97c4-485727c0d4ba?page=5 (access: 17.2.2025).

Archival sources

"Dunlap's American Daily Advertiser" 1792.
"Gazeta Warszawska" 1775, 1777.
"Independent Chronicle" 1791.
"Pamiętnik Historyczno-Polityczny" 1789.
"The Connecticut Courant" 1787.
"The Critical Review or Annals of Literature" 1791.

ABSTRAKT

Pytanie o to, jak tworzyć dobre organizacje i dobre rządy, jest jednym z odwiecznych zagadnień. Autorzy twierdzą, że odpowiedzi na oba pytania znajdują się w pierwszej części *Mowy o Konstytucji rządu ustanowionej dnia 3 i 5 maja r. 1791*, wygłoszonej 1 lipca 1791 r. przez Hieronima Stroynowskiego. Konstytucja 3 maja była próbą zarówno unowocześnienia dawnych wyobrażeń o naturze ludzkiej i ludzkiej wolności, jak i ustanowienia nowych instytucji politycznych, a mianowicie monarchii konstytucyjnej z wyjątkową interpretacją trójpodziału władzy. Jednak podobnie jak jej amerykańska

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 18/11/2026 04:13:08

i francuska kuzynka, Konstytucja 3 maja nie została od razu i powszechnie zaakceptowana przez społeczeństwo. Jej zwolennicy czynili wiele, aby energicznie jej bronić i ją propagować, nie tylko wśród elit politycznych, lecz także w całym kraju. Celem artykułu jest krytyczne wprowadzenie do mowy Stroynowskiego. Opracowanie stanowi pierwszy tekst z serii. Zawiera pełny przekład pierwszej części wystąpienia Stroynowskiego, skupiającej się na zagadnieniach natury ludzkiej, wolności, społeczeństwa i rządu. O ile wiadomo autorom, jest to pierwszy pełny przekład na język angielski pierwszej części *Mowy*, co nadaje mu wartość historyczną dla badaczy zarówno Rzeczypospolitej Obojga Narodów, jak i osiemnastowiecznej myśli politycznej. Autorzy są jednak zdania, że znaczenie przywrócenia i przedstawienia dzieła Stroynowskiego współczesnym odbiorcom nie ogranicza się jedynie do historyków, lecz niesie za sobą wiele istotnych i ponadczasowych lekcji dotyczących pytań o ludzkie doświadczenie, które pozostają aktualne także dziś.

Słowa kluczowe: Konstytucja 3 maja; konstytucjonalizm porównawczy; dobre rządzenie; Hieronim Stroynowski

UMCS