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## Old Polish Writers and Freedom of Expression. Reconnaissance

### ABSTRACT

The paper discusses the question of freedom of speech as an important topic in old Polish literature. The author considers the problem of whether freedom of speech was one of civil liberties recognized by old Polish writers as characteristic for the political consciousness of the nobility in the early modern era. Discussing several cases (Franciszek Karpiński, Wespazjan Kochowski, Jan Chryzostom Pasek, and Stanisław Orzechowski), the author indicates the inalienable relationship between the awareness of freedom of speech and the old nobility's moral sentiments.

**KEY WORDS:** liberty, literary freedom, old Polish literature, Polish nobility culture, Jan Kochanowski, Wespazjan Kochowski, Jan Chryzostom Pasek

### STRESZCZENIE

#### *Pisarze staropolscy a wolność wypowiedzi. Rekoniesans*

W pracy omawiane jest zagadnienie wolności wypowiedzi jako tematu w literaturze staropolskiej. Autor rozważa zagadnienie, czy wolność wypowiedzi to jedna z dostrzegalnych przez pisarzy staropolskich wolności obywatelskich, charakterystycznych dla świadomości politycznej szlachty. Omawiając kilka przypadków (Franciszek Karpiński, Wespazjan Kochowski, Jan Chryzostom Pasek czy Stanisław Orzechowski), autor wskazuje na niezbywalną

zależność świadomości wolności wypowiedzi i szlacheckiego od-  
czucia moralnego.

SŁOWA KLUCZE: wolność, niezależność twórcy, literatura  
staropolska, kultura szlachecka,  
Jan Kochanowski, Wespazjan Kochowski,  
Jan Chryzostom Pasek

As is well known, the words “... the louder he sang and not subject to anyone” come from the program poem of Jan Kochanowski, *Muse*.<sup>1</sup> The poet expresses his writing credo therein, by constructing (so characteristic of his era) a vision of independence or creative independence. Kochanowski places the quoted words in the context of a dispute with personified Jealousy, which, with its characteristic attitude of besserwisem, “translates” rather unkindly towards the creator, what the lyrical subject means when he talks about creative independence: “I know what’s going on, rhyme writer! You’d like to take it!”

In response to such insinuations, the poet points to the three necessary aspects of creative “independence” and autonomy: this “non-compliance” is based on financial independence resulting from: family inheritance, the ability to “live a modest life” and finally—a subtle and non-invasive concept artistic patronage of Piotr Myszkowski. I think that these three aspects form the essence of considerations about artistic freedom (i.e. also civic freedom) in the Polish-Lithuanian Commonwealth: the first is the freedom of possession (and possession provides civic freedoms, a sense of economic security and—most importantly—the experience of security in the state, protection of the law), the second—it has an ethical dimension (free philosophical choice, the choice of which will be based on the concept of *otium* in its various philosophical or artistic realizations), and the third—freedom from external potential oppression, be it a patron or any other external authority towards the subject.

I will try to apply these three aspects of reasoning about freedom to the category of freedom of speech (freedom of artistic expression) in the Polish-Lithuanian Commonwealth. I will call the authors as witnesses, limiting my comments to the minimum necessary.

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1 Cf. R. Krzywy, *Sztuka wyborów i dar inwencji. Studium o strukturze gatunkowej poematów Jana Kochanowskiego*, Warszawa 2008 ([www.Staropolska.pl/renesans/opracowania/Krzywy\\_Muza1.html](http://www.Staropolska.pl/renesans/opracowania/Krzywy_Muza1.html)); many works on the subject of *Muse* have been created; I would particularly like to draw attention to W. Weintraub’s dissertation, *Muza i mamona*, in: *Nowe studia o Janie Kochanowskim*, epilogue T. Ulewicz, Kraków 1991.

In this text, I dare to put forward a thesis which I will try to support that the issue of “independence” and the associated sense of “creative freedom” in the Commonwealth not only in the sphere of topos or rhetorical figures, but in a clear and obvious way resulting thereof, how the noble community thought about freedom (about their freedoms). Moreover, the feeling, experiencing or reflection on the creative act, creative freedoms in the Polish-Lithuanian Commonwealth was a reflection, image or in some sense a component of reasoning about civic independence within the social or political self-reflection of the Polish nobility.

First of all, however, I owe the reader a short terminological justification. As we know, “not being subject” in the sense of state independence does not appear in the political language of the Old Polish period. In the referred quotation from Kochanowski, it appears as a denial of “submission.” Of course, “submission” appears in the dictionaries of early modern writers. However, it rather appears with the meanings given by Old Polish dictionaries: *Słownik polszczyzny XVI wieku* to *Słownik języka polskiego* by Linde. In the sense used by Kochanowski in “The Muse,” the term is mentioned by Skarga as “being subject to someone” rather in the social space, within one political structure: “Inequality is compensated by order and submission.” Moreover, the royal preacher, sees one of the most important elements of the state structure in “submission”: “Without these three things you can never reach consent or a united homeland. Without inequality, without being subject to one another, without one leader and creator.”<sup>2</sup>

Linde at the very end of the description of the word “subordination,” referring only to *Gazeta Rządowa*, mentions the negated form, understood presently as “the whole, freedom, independence of the homeland.”

This fact is known to researchers of the subject: in the “state” sense “subordination/independence” did not exist in the dictionary of the Commonwealth. It had to be lost for the word to appear in the dictionaries and in the language.

However, the question arises about how the issue of political sovereignty of the state before the appearance of the term “independence” was defined. It is worth recalling that state sovereignty (lack of subordination) was one of the most important elements of reflection for republican thought. Without this, the question of practicing civil liberties in the state would have not been discussed.

The concept of *civitas libera* within the reasoning for freedom in the state results from the most important principle that allows the realization of

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2 *Słownik polszczyzny XVI wieku*, <https://spxvi.edu.pl/index/haslo/85440>.

freedom: it is about the lack of domination. Here is how Dorota Pietrzyk-Reeves interprets this problem according to Philip Pettit:

[Republican theory of freedom] understanding freedom not as a lack of interference, but as a lack of dominance understood as the relationship of master and slave or master and servant in which the dominant party (master) can arbitrarily interfere in the affairs of the party which is his (slave or servant),

and below states as follows:

the freedom we are looking for in the republican tradition is freedom, not security or participation, and the contrast of liber and servus, a free and subordinate man is essential.<sup>3</sup>

I think that from this perspective, looking at the issue of freedom, we will be able to consider the issue of freedom of expression in the same way. Because if “in practice, it was primarily about the fact that life, honor and wealth of the citizen were not subject to the arbitrary will of some sort of self-ruler,”<sup>4</sup> then the issue of freedom of expression belongs to those values that are particularly exposed to the threat of attempting to impose this dominance.

As mentioned above, the sine qua non condition of this practice of freedom was state sovereignty. The paradigm of republican thinking assumed that

the Republic of Poland was a free state, i.e. it was not subject to anyone’s dependence or any external superior, it was guided by its own will, in which citizens had a part.<sup>5</sup>

Searching for the vocabulary that addressed this issue, we come across terms such as “it does not accept any authority ... free kingdom, freeman, and should owe nothing to anyone.”<sup>6</sup> Similarly claimed Orzechowski in his “Speech to the Polish Nobility.”

We probably touch the basic term for the description of the relationship here: „owe someone.” For example, Linde cites two testimonies of

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3 D. Pietrzyk-Reeves, *Ład Rzeczypospolitej: polska myśl polityczna XVI wieku a klasyczna tradycja republikańska*, Kraków 2012, p. 264.

4 Ibidem, pp. 264-265.

5 Ibidem, pp. 259.

6 Anonim Senator, cit. acc. to D. Pietrzyk-Reeves, *Ład Rzeczypospolitej*, op. cit., p. 259.

historical writers herein: Strykowski and Bielski, maybe it is worth quoting them in whole:

Rzeżański princes in a free state have long ruled freely, and should have no monarchs. (Strykowski); and Bielski: There were great differences between Silesia, Hungary and the Czech Republic regarding obedience and who should rule Silesia.

In noble reasoning, the Polish kingdom was not obligated to any outside person, and it was only for this reason that freedom could be realized, including freedom of speech in the state.

How deeply rooted was the thinking about the inalienable connection of this independence of the political organism from external domination with freedom of expression (i.e. exercising freedom within the state structure), it is clearly testified by the words of writers who have experienced the violence of “external sovereignty.”

It is worth starting with a well-known statement by Franciszek Karpiński in a letter to Jan Albertrandi of 20 August 1801. We read a kind of reflection about the freedom of performing art:

However, under foreign rule once a free Pole, how can he write when his hands are tied? Or who was chosen as a speaker and must watch every word? Freedom is only in the nations allowing free speech and being bold, not being cautious about many things, probably not much said ...<sup>7</sup>

Roman Soból summarizes this dissertation: “The decision to leave the lute was the result of ... belief that the writer’s civic freedom is a prerequisite for creativity.”<sup>8</sup>

The vision of Karpiński’s survival of Polish culture under the partitions was not optimistic. In the poem *To Prince Miłolaj Repnin*, however, written after the spectacular “shattering” of the lute, Karpiński presents his historical vision in which there is no place for Polish literary culture:

This language and these poems in Polish words  
Maybe will not be known on earth in a hundred years.<sup>9</sup>

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7 *Correspondence of F. Karpiński dated 1763–1825*. Collected and prepared for printing by T. Mikulski, comment by R. Sobol, Wrocław 1958, pp. 113–114.

8 R. Sobol, *Franciszek Karpiński*, Warszawa, p. 1979, pp. 129–130.

9 F. Karpiński, *Dziela*, Warszawa 1830, p. 182, *Do Xiążęcia Miłolaja Repnina, Jenerala gubernatora Litwy 1796*.

The fall of the state was to end its literature, the consequence of the fall of political independence was to be the death of the language, the end of culture. I refer to this testimony to outline the context of perhaps an important image (as claimed by Soból or other researchers, not entirely isolated among representatives of that generation), which is an expression of the belief in the inalienable relationship between a bold creative statement and independence in its state dimension.

One should probably look for the sources of this reasoning in the tradition of the First Republic of Poland, with the rhetoric of freedom dominating in social debate. Pisze o tym Edward Opaliński a ostatnio też przecież Anna Grzeškowiak-Krwawicz.<sup>10</sup>

In this context, it is worth pointing out such significant statements as, for example, Stanisław Orzechowski's *Mowa do szlachty polskiej*, i.e. an introduction to *Statuty* of Jakub Przyłuski or an introduction to the *Statuty i przywileje koronne* of Jan Herburt of Fulsztyn. Anonymous author of probably the most interesting texts in the Old Polish period specific anthology of expression (and historical narratives) related to the issue of freedoms, *Krótkie zebranie rzeczy potrzebnych z strony wolności*. As we know, this work, published in a very interesting interregnum after the death of Stefan Batory and before the dramatic election in 1587, is a kind of anthology of statements and deeds of historical figures referring to freedom. An important aspect of these quoted speeches, statements or descriptions is the issue of admonishing the ruler as the implementation of the principle of freedom of expression. The author often describes these actions with the terms "libere coping," "admonition" etc. (cf. especially anecdotes related to Casimir the Great,<sup>11</sup> p. 48, 52 etc.) An anonymous author builds a kind of story about civic disobedience, civic vigilance against all alleged potential threats lurking for Polish freedoms. Activism, the designed dynamism of civic attitude, first of all, assumed the direct involvement of citizens in the political process (hence the frequent—especially in the 17th century—criticism of the civic attitude of *désintéressement* in relation to political activity). In the context of these comments, the stanzas of Bonawentura Małowieski acquire a different sense, on the experience of the state's fall:

Forbidden using own language  
The name of a Pole changed into Prussian,

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10 E. Opaliński, *Kultura polityczna szlachty polskiej w latach 1587-1652*, Warszawa 1995, pp. 80-83; A. Grzeškowiak-Krwawicz, *Dyskurs polityczny Rzeczypospolitej Obojga Narodów. Pojęcia i idee*, Toruń 2018 (especially see the term "freedom"), pp. 139-173

11 *Krótkie rzeczy potrzebnych z strony wolności a swobód polskich zebranie przez tego, który wszego dobrego życzy ojczyźnie swojej*, in: *Krzysztofa Warszawickiego i Anonima uwagi o wolności szlacheckiej*, ed. K. Kochler, Kraków 2010, p. 48, 52 and other.

Everything is foreign, I don't understand the law,  
I pay but for what I cannot say ...  
I feel lawless, but live without power  
I cannot advise or give help ...<sup>12</sup>

Karpiński's experience of losing political freedoms (freedom of speech) and the experience of lawlessness (i.e., if I understand the poet correctly, the experience of losing the possibility of political activity ("I cannot advise") brings a sense of powerlessness and strangeness (also because the subject in the poem "does not understand the law"). "Strangeness at home"—as we guess—stems precisely from the experience of lost values, which were recognized and experienced as the foundations, principles of the citizen's functioning in the state.

This inalienable relationship of freedom and political activity with the freedom of expression is confirmed by Marcin Błażewski, who claims in *Tłumacz Rokoszowy*:

Freedom is to live as one wants, safely in own home  
Apart from God, laws and judgements, not being subject to anyone.  
To have a free place in the brotherly circle of speech  
To suffer no offence at collective reunions.<sup>13</sup>

Based on the quotation, it is clear that the issue of freedom of speech is related to *negotium* rather than *otium*. It should also be pointed out that the experience of freedom of expression is associated with community and social activity, which is probably related to the civic use of the word in the discourse, maybe it is too big word, but one can probably speak about political discourse. And given that Małowieski's words revealed a sense of legal agency, one more conclusion can be made that practicing freedom of speech was associated with an action, activity, and actions ("advising," "giving help," etc.)

A specific and characteristic interpretation of the relationship between the practice of freedom of expression and the constitutional principles of the state was presented by priest Benedykt Chmielowski, when he defined the iconography of Polish freedoms in *Nowe Ateny*:

Poles in Gniezno at the coronation of Bolesław the Brave displayed the silver Statue of Liberty in the gate, with a gold tongue, i.e. libertate in speaking in *libero voto*, which is the tastiest fruit of Poles ... and origo from this statue of the Golden Freedom.<sup>14</sup>

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12 Cf. K. Koehler, *Domek szlachecki w literaturze polskiej epoki klasycznej*, Kraków 2005, p. 415.

13 Cit. E. Opaliński, *Kultura polityczna*, op. cit., p. 84.

14 B. Chmielowski, *Nowe Ateny*..., pt. II, ed. 1746, p. 374.

Therefore, I assume that we are talking about a certain constant intellectual propensity.

Nevertheless, it may be worth trying to check how relations between the sense of freedom of expression (also artistic) and the public sphere are implemented in practice.

The first testimony that I would like to refer to is dated 1676 and it refers to a trial known in the history of literature brought by the Krakow bishop against the Krakow Academy in the case for censorship. The subject or pretext to initiate proceedings was criticism of the work of the academic censor on the occasion of the publication of *Niepróżnujące próżnowanie* by Wespazjan Kochowski.

For literary historians, there is no doubt that the dispute over Kochowski's book was a pretext in a proper competence dispute between the bishop and the rector for the right to censor books. Historians also have no doubt that the bishop was right in the argument. Nevertheless, I believe that if the pretext for the dispute was not just a book by Wespazjan Kochowski, a local nobleman, a well-known and well-deserved neighbor, perhaps the dispute could have settled in a different direction. Nevertheless, as it is known, the poet did not want to treat the matter as an excuse: so he announced *Informacje* about violation of his noble honor ("I am asking for honor, which is equivalent with health for me, as my reputation is per literas partam")<sup>15</sup> to the regional councils of Małopolska and Sandomierz in Proszowice and Opatów and asks the nobility, brothers to support his case.

Maria Eustachiewicz (in a polemic dissertation with the considerations of the Kochowski's monographist Jan Czubek<sup>16</sup>) presents quite accurately the arguments used by Kochowski in *Informacja* to the regional councils in defense of his position. There are several arguments of a genealogical nature, if it could be said so. I will not analyze them, but there are two that shed some light on the matter of interest to us.

One says that the violation of the academy's right to censorship would affect the stability of the legal principles of the Republic of Poland. The argument is only rhetorical; it is the use of a cliché (antiquity) that allows to torpedo all ideas of reform in the state; it refers to noble (parliamentary!) legislative conservatism or persuasion (and that it has the value of persuasion, already noted in the 16th century, e.g. by Andrzej Frycz Modrzewski) a sense of antiquity, order and traditionalism. The piquancy is added to this argument by the fact that it is essentially a completely unsuccessful

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15 Quotes from *Instrykcja* originate from the work of Maria Eustachiewicz and Wiesław Majewski, *Nad lirykami Wespazjana Kochowskiego*, Wrocław 1986.

16 Jan Czubek describes his dispute over the book in his monograph of the poet; cf. J. Czubek, *Wespazjan z Kochowa Kochowski*, Kraków 1909, pp. 126-130.



argument: the bishop is associated with antiquity, not the academy. (This is also what the Academy's monograph Henryk Barycz claims<sup>17</sup>).

The second argument is even more interesting for the issue we are discussing:

Kochowski claims that he was accused, not the censor, for the reason that *ex rogo librorum fama autorum fulsit* (we need Tacitus to construct this argument). If a book has an author, and they have a "mutual relationship," then an attack on the book (through or without a censor) is an attack on the author's good fame, and therefore let everyone think what *gravamen ex praemissis* occurs to anyone who wants *bonis actibus notescere* in this homeland.<sup>18</sup>

Therefore, any violation of freedom of expression (accusation, e.g. of indecency or other alleged misconduct) is an attack on noble fame and an attack on good name and civic merits can be recognized. It is worth noting that Kochowski naturally combines his civic merits (he is a respected citizen, a nobleman-knight, performing various functions in the community) with his activity in the field of writing.

As Eustachiewicz rightly points out, it was not the "literary" arguments, but those noble and civic ones that defended "the honor of a nobleman" that were included in the instructions for Małopolska deputies to the Sejm the following year. Therefore, a fellow nobleman is defended in the assembly and delegates are sent to the Crown Sejm with instructions on asking for a citizen of the Sandomierz region *de Reipublica armis et literis meriti*. Maybe it is worth recalling that this state defence takes place according to a fairly frequently used pattern of conduct: a classic example of it is told by Stanisław Orzechowski in his *Roczniki*, the history of the defense of the "fellow nobleman" and the priest at the same time by the brothers against the attempts at his civil liberties by the bishop of Przemyśl Jan Dziaduski.<sup>19</sup> The noble neighbors support Orzechowski, just as Kochanowski. As we know, noble state solidarity (as Janusz Tazbir and other scholars dealing with the issue have written about many times<sup>20</sup>) not only strongly influenced political life but also had considerable significance in the area of religious disputes in the Commonwealth, contributing to the

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17 H. Barycz, *Uniwersytet Jagielloński w roli cenzora*, in: *Szkice z dziejów Uniwersytetu Jagiellońskiego*, Kraków 1933, pp. 130-133; cf. M. Eustachiewicz, W. Majewski, *Nad lirykami*, op. cit., p. 28.

18 M. Eustachiewicz, W. Majewski, *Nad lirykami*, op. cit., p. 31.

19 Cf. K. Koehler, *Stanisław Orzechowski i dylematy humanizmu renesansowego*, Kraków 2004, p. 318.

20 Cf. J. Tazbir, *Państwo bez stosów. Szkice z dziejów tolerancji w Polsce w XVI-XVII w.*, Warszawa 1967, passim.

disputes characteristic of the history of the Commonwealth all in all, however, not aggressive and deprived of religious violence so typical of Western history.

Therefore, I believe that the reference plane for the sense of freedom of expression, “not being subject to anyone” in the creative process in the Old Polish (pre-partition) period is the sense of civic subjectivity, but also the “boldness” or courage of citizens’ statements so interestingly described by Karpiński. And in this context, it is worth recalling another testimony.

Everyone who reads the *Pamiętniki* of Jan Chrysostom Pasek is struck by a kind of “cheekiness” or even “impertinence” of the narrator of this text, who, after all, consciously creates a certain linguistic reality. I should now deal with the difficult to describe stylistics of Pasek’s expression, its energy, which Adam Mickiewicz so praised in *Wykłady paryskie*.<sup>21</sup> To illustrate what I mean (and probably what Karpiński referred to, who—like few authors of the 18th century perfectly understood the power of Old Polish language)—I will only point to one anecdote written by Pasek, showing—as in the lens—the verbal power of this culture.

So, the narrator and character of *Pamiętniki* in his descriptions from 1661 is detained without proof of guilt by the royal guards, forcibly imprisoned in an inn under guard in Grodno and interrogated as a potential MP from the confederate army. The interrogation is conducted by the senator of the kingdom: the monarch himself listens. The narrative by the author leaves no doubt: it actually consists of short situational descriptions and a series of speeches, given by the defendant and interrogators. From an external perspective (from outside, if one agrees to say so, the discourse of the Polish-Lithuanian Commonwealth), the situation is bizarre:

here a twenty-year-old soldier stands in front of bishops, province governors—candle holders of the crown. Nevertheless (in Pasek’s story, of course), the advantage is not on the side of the accusers, but on the side of the accused. The thing is that—as the writer says—in *open innocence, on a voluntary basis, unconvinced by law, taken, incarcerated ...*<sup>22</sup>

Therefore, the law was violated and it seems that this very situation, which makes the defendant a victim of violation of the law, drives the dramatic axis, if one can say so, of the entire conflict. Indeed, Pasek could have been a member of the confederate army, but before he was detained, a court sentence was required. The narrator’s position is clearly defined by

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21 Cf. A. Mickiewicz, *Wykłady paryskie*, rok 2, lekcja 3.

22 J.Ch. Pasek, *Pamiętniki*, <https://wolnelektury.pl/media/book/pdf/pamietniki.pdf> (access: 27.12.2018).

a fragment of his speech: "... I will be able to admonish everyone equal by birth. I have regional councils, I have tribunals, I have a general circle; *utraque civis*, because I am both a nobleman and a soldier, I can never deny my words." Thus, by all means, senators try to force Pasek to plead guilty. They threaten him, insult him, but in response they hear only bold answers and even more blatant insults towards themselves. At the threat of secret death, they hear:

God, the army and my poor personnel will perceive my innocence, because I have the blood ties, feeling for a long time that I am a nobleman. I will lay my head, my teeth and *nominis* recordation ...

The author creates a fairly colorful novel around these speeches, full of twists and turns: when those who stopped him fail to prove the "guilt" of the nobleman, they try to get him to escape, simply encouraging him, removing guards, and finally negotiate through one of the senators a compromise solution to the case, which, after all, could have—as we understand—further consequences, if an unlawfully detained nobleman wanted to assert his rights in the said "tribunals" or in the "general circle." It may be worth recalling the narrator's response to this proposal (he was supposed to plead guilty, for which he was to obtain royal grace):

One God who created the heavens and the Lord and me, a poor man, let me do it as a protector *innocentiae*, when virtue and honesty cannot prove ... I already said so to the audience that the court may bark at God's passion. Neither a threat nor the request of my fanciful *dominari* cannot. Upon request, the sun will not become the moon, the truth will not be transformed into untruth; and for a threat, God sees I will not give in one step, even if I had to suffer here for my innocence.

It is worth noting how Pasek's arguments associate freedom (I am a nobleman; therefore, the law protects me) with freedom from (coercion or influence from those socially stronger). Nevertheless, I believe, the moral and ethical element is introduced in this rather bold statement: virtue, kindness and ... this aspect of noble discourse that still defies description (including mine in this speech). It is often referred to as "honesty." The power of this discourse would be (such a construction could be extracted from this and many other similar statements) moral honesty (in the eighteenth century it was said about "Old Polish honesty" as a feature characterizing "ancestors" often depicted in opposition to the corrupt, mannered present day).

It is probably quite risky to refer to the testimony in this respect, emerging from the statements made years later by an old inventor, quite well known for his highly dubious moral conduct. Nevertheless, our knowledge

about the rhetorical context of the statement may come to our aid, releasing us from the obligation to examine the compliance of words with facts, but imposing on us the task of examining the compliance of words with the “horizon of social expectations.” Undoubtedly Pasek, the representative of the noble *modus vivendi*, whitening his biography years later constructs his story by fulfilling the task of “social expectations.” After all, his life is supposed to be a story, a science for descendants, potential recipients, so we expect it to be a part of a postulative model. Adam Mickiewicz touches this construct, pointing in the course at College de France to a peculiar characteristic of Polish identity, pointing to its style (Pasek) and moral warp (priest Kordecki). From this perspective, the projection of Jan Chrysostom Pasek gives interesting insight into the desirable features of this discourse, this “honesty” or assertiveness of the noble discourse (as a sine qua non condition of freedom of expression): there is truth and narratives about it. The Narrator of *Pamiętniki*—in his self-presentation, of course—stands on the side of the truth, deciding what it certainly was. If I were to add that if the characteristics of Polish narrative are read in opposition to the Italian narrative, the southern narrative from a work from a different period and other functions than the diary of an old adventurer who has to fulfil, i.e. when in this respect the poem of Mikołaj Hussowski is read *Carmen de statura, feritate ac venatione bisontis*, we may have to deal with a similar story: it is like the same, one story of noble entelechy permanently based on the virtue, supporting what is obvious, decisive and clear. An inalienable basis thereof, the basic condition is moral purity.<sup>23</sup>

It is good to see one more testimony in which we would deal with (rhetorical admittedly, and thus inscribed in the persuasive context) description of the crisis. Nevertheless, perhaps it is the crisis situation (and a description thereof used for persuasion) that allows the extraction of additional meanings of this relationship between freedom (including expression) and the issue of virtue or civic honor—and both leading to the most important components of noble civic reasoning—to morals (mores). Reflection on their relationship with the law, political institutions (i.e. freedoms) is one of the most interesting aspects of Old Polish thought. Let’s remind: customs not only protect freedom, but also protect against degeneration thereof. It is similar with the laws, which without morals are just empty words. Manners contribute to the practice of virtue (which, after all, they

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23 Cf. K. Koehler, *Carmen de statura, feritate ac venatione bisontis, Mikołaja Hussowczyka*, in: *Historia literatury polskiej w dziesięciu tomach*, Vol. 2, *Renesans*, Bochnia 2004, pp. 192-197. In the context of these considerations, one should especially indicate the inspiring book by H.-J. Bomelburg, *Polska myśl historyczna a humanistyczna historia narodowa (1500-1700)*, transl. Z. Owczarek, Kraków 2011, *passim*.

are an expression). It is the customs rather than well-written laws that protects against the transformation of *libertatis* into *licentiae*.

If I were to look for the testimony that most fully shows this relationship, I would point to this place in the dissertation of Stanisław Orzechowski in one of his two anti-barbaric speeches, where we deal with the description of the situation of “civic” communication—with each other and with the outside—corrupted by irresponsible behavior of the monarch. Speech has the character of lampoon, its function is strictly persuasive, nevertheless, the presented “reasoning” refers to a certain intellectual “trap” probably recognizable to the audience.

In short (I refer here to my analysis from the book about Orzechowski<sup>24</sup>), the process looks like this: the king committed the offence; this deed affects the freedom of expression of subjects, obstructing the vigor and energy proper to public discourse in Poland, resulting from virtue and a clear understanding of reality, which is not disturbed by transgression. Why is this happening? Because the royal deed brought shame on his people. It is particularly visible in relationships with others. According to Orzechowski, Polish discourse is based on a sense of dignity and practicing virtue: awareness of the violation, therefore, is the fundamental basis for the well-being of a citizen of the Republic of Poland. I pointed out in the considered book that the argument so arranged (in accusatory speech) means that it can be assumed that the writer: “bases the public discourse of the Republic of Poland on freedom of speech and thought, and the sine qua non of this freedom does not make the law ... but a sense of citizens’ dignity resulting from the practice of virtue.”<sup>25</sup>

We read:

Quo quid iam gravius accidere potest nobis Polonis, qui et natura excellenti moti et domestica laude excitati magnanimi semper et liberii fuimus et totum orbem terrarum nobis patentem et liberum, oculos etiam, vocis et mentes ubique liberas habuimus, neque dici neque cogitari potest, equites. Amissa enim laude et dignitate eaque libertate, quid est reliquum, quod non amiserimus?<sup>26</sup>

Energy or the basic strength of the Polish narrative (its openness), according to the writer, including dignity, glory and freedom, when this openness must suppress the need to hide an unworthy act (veiling)—dies, dries, turns into its opposite, into a caricature. Among others, Łukasz Górnicki

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24 K. Koehler, *Stanisław Orzechowski*, op. cit., pp. 195-215.

25 *Ibidem*, p. 205.

26 *Ibidem*.

noticed this feature of Polish narrative in *Rozmowa Polaka z Włochem* from the end of the 16th century, and although he rather took the position of the Italian in the dispute, he also noticed the fact that in “Poland” “freedom is noble” and not based on “law and the rule of law.”<sup>27</sup> Which, of course, can be understood pejoratively, but also that the moral (therefore existential) aspect is more important than law.

Which in other words means that so desired freedom in Poland, is based on civic virtue. This was also expressed sometimes as “Poland is not governed by the government, but by the freedoms of citizens.”

From among these freedoms, as I tried to show above, the “freedom of expression” was not the last one, which—as Karpiński says—brought such words as “bold.”

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27 Cf. D. Pietrzyk-Reeves, introduction, Ł. Górnicki, *Droga do zupełnej wolności, Rozmowa o elekcji, wolności, prawie i obyczajach polskich*, Kraków 2011; K. Koehler, *Łukasz Górnicki a wolność*, in: *Rzeczpospolita, obywatelskość, wolność. Szkice o polskim piarstwie politycznym XVI wieku*, Warszawa 2016, pp. 285-307.

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