University Legislation and the Decline of Academic Autonomy in Poland

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Some authors mean by “academic democracy in Poland” the accessibility of higher education to the youth of different social classes and strata; for them this is the only important aspect of academic democracy.1 It is an important problem.2 Nevertheless, in this paper my interest is concentrated primarily on the self-government or autonomy of universities.

Since the end of the First World War, when Poland regained independence, different types of higher educational institutions have functioned in the country; they have borne several names—universities, academies, polytechnic institutes, main schools, etc. There have been different patterns of courses. Positions held by academics have had different names; different ranges of privileges and responsibilities have been attached to those posts, and different names have been given to the ministry responsible for higher education. Some of the ways in which Polish higher educational institutions functioned—I shall use this term as well as “university” to describe all institutions of higher education—were deliberately of a tentative character; others were established, then disappeared, only to be re-established again. Through all this there has moved a definite Polish tradition of higher education.

The Internal Organisation of Polish Universities

Among the most important and relatively permanent elements of the Polish academic system are the following: In order to enter a university, it is necessary to have received a secondary-school diploma and to pass an entrance examination. An average student studies his major subject for five years. At the end of this period, he must present and defend a dissertation to receive the degree of Master of Arts.

Universities are made up of faculties; the Jagiellonian University of Cracow has, for instance, six faculties—law; languages; philosophy and history; mathematics and physics; chemistry; biology and earth sciences. The faculties are made up of institutes, chairs and sections. There are ten

1 For example, Suchodolski, Bogdan, “Demokratyzacja szkolnictwa wyższego w Polsce” (Democratization of Higher Education in Poland), Życie Szkoły Wyszej, nos 7-8 (July–August 1957), pp. 3–16.

institutes at the faculty of philosophy and history; these include the institutes of philosophy, of history, of sociology and of psychology. The head of the university is the rector and the main governing body is the senate. The head of each faculty is the dean, who is the chairman of the council of faculty. Depending on the number of full professors, the faculties may receive the authority to confer the doctorate and to grant habilitation (habilitacja).

The lowest rank of the academic profession is “teaching and research assistant in training” (asystent-stażysta). It is possible to hold this position for one year, and the MA is a necessary requirement. The ranks immediately above are assistant and senior assistant. It is possible to hold these two positions, which are classified as “non-independent teachers” (niesamodzielny pracownik naukowy) for eight years altogether. During this period it is necessary to teach 270 hours a session, to conduct research, and to present and defend a doctoral dissertation. The holder of a doctorate may become an assistant professor (adiunkt). During the ensuing years, up to a maximum of nine, he must teach 270 hours a session and publish and defend a habilitation monograph. When habilitation is confirmed, an assistant professor receives part of the prerogatives of an associate professor (docent) and is classified as an “independent teacher” (samodzielny pracownik naukowy). An assistant professor who has habilitated may be appointed to an associate professorship. The next positions are extraordinary professor (profesor nadzwyczajny) and ordinary professor (profesor zwyczajny). Associate professors and full professors are required to teach 210 hours a year.

The Polish University Tradition: The Galician Model

Between the end of the eighteenth century and 1918, Poland was partitioned by Austria, Prussia and Russia. In each of the three parts of Poland, different systems of higher education, and different degrees of freedom to create and propagate Polish culture existed. From the beginning of the 1860s, the most favourable situation was found in Galicia in the Austrian part of Poland. Several features of the Galician situation were important for our analysis of the present. The University of Vienna, established in 1365, was an institution of very high academic standing. It was also relatively autonomous. The social status of a university professor in Austria was high. Galicia itself enjoyed a very broad political and cultural autonomy, making possible a local development of Polish culture which had an impact on other parts of Poland. The Polish universities in Galicia—the Jagiellonian University of Cracow, established in 1364, and the University of Lemberg (Lwow), established in 1783—were based on the Viennese pattern of academic autonomy, and on Galician ideas of political and cultural autonomy. In Galicia, the social status of a university professor was

very high as it was in Austria. Many Poles from the Russian and Prussian parts of Poland studied in Galicia. The universities in Cracow and Lemberg became models of the university as such, and their autonomy, freedom of research and teaching, as well as the prestige of their teachers, became an enduring academic ideal.

The rebirth of the Polish state in 1918 brought with it, among other things, the necessity of unifying and developing higher education. In 1920, there were 21 academic institutions in Poland with 38,000 students. In 1939, there were 28 academic institutions with 48,000 students. In the new Polish republic, the academic system was intended to be liberal and democratic. It was to carry out in practice, and at the beginning did so, the ideals of the universities in Galicia. They were formulated most explicitly by an influential philosopher, Tadeusz Czezowski, who was professor at the Stefan Batory University in Vilna.

For Czezowski, a university had to fulfil two functions. One was to contribute to the growth of science, the other to provide professional education at the highest level. In order to fulfil these functions properly, universities received two privileges: academic autonomy and academic freedom.

University autonomy is expressed first of all in the fact that universities are governed by academic authorities consisting of members of the university: the senate with the elected rector, and the councils of faculties with the elected deans. They are accorded the responsibility not only for the scholarly and administrative leadership of the universities, but also for the exercise of disciplinary and judicial powers within their boundaries. The second important point is that the right to teach at the university may be granted only by the professorial body, which must take into account solely the scholarly and scientific qualifications of the candidate. University autonomy guarantees that the university will serve only its proper aims, that it will be protected against undue influences exercised by bodies outside the university, for instance political influences which might try to control it, either by forcing the university to follow their orders or by introducing into it persons who would carry out their intentions. University autonomy creates an efficient armour, helping to maintain the purity of the scholarly and scientific aims of the university.

According to Czezowski, the second of these privileges is even more important. Academic freedom he understood as the freedom for the professor to teach according to his conscience, to learn, and to organise academic societies.

Czezowski’s opinion was commonly held in the academic community. It was realised in the situation created by the law of 1920. The existing and highly valued autonomy of universities existed not only in the private, but, above all, in the academic institutions supported financially by the state.

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Footnotes:


The academic system of the inter-war period was governed by a small number of laws. Two are of special importance. The first was the statute of 13 July, 1920, “On Academic Institutions”. Although the vast majority of institutions were financed by the state, the statute gave the government practically no opportunity to interfere with affairs of an institution. The supreme rule of universities was the freedom of research and teaching.

The chief governing body of the university was the general assembly of professors. It promulgated the charter of the institution, elected the rector every year, approved the budget of the institution and the applications of the councils of faculties to appoint professors and associate professors. The second important governing body, with less authority, was the senate, consisting of the rector, the pro-rectors and deans. The rector was charged with carrying out its resolutions. If the rector opposed any resolution, the problem was discussed again by the senate. If the resolution was confirmed, the rector had to carry it out. The relationship between the councils of faculties and the deans, who were elected by the former for one year, was the same. Councils of faculties consisted of all professors in the particular faculty as well as two representatives of the associate professors.

Professors were legally appointed by the government, but it could only appoint a candidate who was proposed by the council of the faculty and approved by the general assembly of professors or by the senate. The government was allowed to dismiss a professor before his retirement only if, following disciplinary proceedings against him, a special academic committee approved, and two thirds of the general assembly or the senate agreed.

All academic associations (stowarzyszenie akademickie), such as student unions and clubs, were allowed to function on condition that they did not engage in political activities. The senate approved their charters, and the rector appointed an inspector—one of the professors—to supervise them.

The law of 1920 actually embodied the ideal of the Galician academic tradition as it was described six years later by Czezowski. The law was in effect for more than a dozen years, but after the first few years, it was subjected to infringements.

In May 1926, a coup d'etat took place, which introduced in Poland an authoritarian political system. The dictatorship of Jozef Pilsudski, who had been a principal figure in the liberation of 1918, was genuine and severe, but very unusual in form. Several democratic institutions, like opposition parties and the press, still functioned, although not without restrictions.

In 1925, the Minister of Education asked the Supreme Administrative Court to render its opinion as to whether universities financed from the state budget were, or were not, organs of the state. The declaration of 9

7 Ustawa z dnia 13 lipca (Statute of 13 July), “O szkołach akademickich” Dzienik Ustaw Rzeczpospolitej Polskiej (Laws of the Polish Republic) z dnia 10 sierpnia 1920, no. 72, pozycja 494.
November (case number 590/25), delivered in an atmosphere that already differed from that of a few years earlier and which favoured authoritarian decisions by the government, stated, however, that universities were not part of the apparatus of the state.

Until the beginning of the 1930s, many privileges, even if contested, were upheld. One was that of "territorial privilege", which gave the rectors the authority to decide when the police would be allowed to enter the precincts of the institution. Special treatment by the police of university students was retained, but only if they produced student identification cards. Students' associations were still exempted from general police regulations.\(^8\)

In the 1930s however, higher education in Poland began to be affected by the authoritarian political system. A new law on universities of 15 March, 1933,\(^9\) seriously limited the traditional autonomy of academic institutions. The Minister of Education became the supreme authority of the academic system. Every third year he could—but he did not have to—call a meeting of the rectors of all universities. He became an arbitrator who decided the disputes between rectors and senates, and between deans and councils of faculties. The general assembly of professors lost part of its authority. It still drew up the charter of the university which had now to be approved by the minister, and submitted its views about the activities of the school and the rector. The rector was elected for a three-year term by the delegates of the councils of faculties, not by the assembly, at a meeting called by the retiring rector. The rector-elect had to be approved by the President of the Republic, once the election had been approved by the minister. If the rector-elect was not approved by the minister, a new election had to be held, until a person was elected whom both minister and President were willing to accept.

Among the new powers of the minister, was the right to abolish university chairs, even without a prior application from the institution. In 1933, the minister abolished 52 chairs, removing many outstanding scholars for political reasons.\(^10\)

The authoritarian reform of higher education may be seen as part of the anti-democratic policy which was being followed in relation to the entire educational system, under the administration of the Minister of Education, Janusz Jedrzejewicz. It was also a reaction by the government against the activities of the anti-authoritarian members of the academic community. A great number of university professors protested when, in 1930, the government illegally arrested and imprisoned in a military fortress more

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\(^9\) Ustawa z dnia 15 marca "O szkołach akademickich", Dziennik Ustaw Rzeczypospolitej Polskiej z dnia 29 kwietnia 1933, nr. 29, pozycja 247.

than 50 left-wing members of parliament. The prestige of university professors was high enough at that time for their protest to embarrass the government. Simultaneously, under cover of the principle of academic autonomy, groups of oppositional forces, right-wing and nationalistic, became active in initiating anti-Semitic brawls.

In 1933, the entire academic community protested against the bill and later against the law. A decade after the Second World War, this law of 1933 was again subjected to critical scrutiny when, after many years of very illiberal control over higher education in People’s Poland, a new bill was being considered.

Jozef Pilsudski died in the spring of 1935. The extreme nationalists stirred again; the policy of the government was increasingly tolerant towards them. Under the conditions of the still lingering economic depression, the reactionaries found a scapegoat in the national minorities. In academic institutions, it focussed on Jews. According to a linguistic criterion, the Jews were about 9 per cent of the population of Poland, but they made up 20 per cent of the total body of students. The reactionaries insisted on applying a *numerus clausus*; they also began to use violence against the Jews. The authorities of some of the academic institutions, as well as some of the professors, agreed to the establishment of the “ghetto bench” in classrooms. This concession reinforced the demand for the *numerus clausus*. The violence which the government did not oppose effectively, despite the powers provided by the statute of 1933, had some effects. In the academic session of 1937–38, the proportion of Jewish students dropped to 10 per cent.

The political and moral significance of the anti-Semitic incidents was immense. Academic institutions yielded to some extent to intimidation by the terrorists. Some professors pretended not to hear anything, some inspectors of students’ organisations accepted nationalistic resolutions despite having the authority to overrule them. Left-wing and liberal students and professors did protest against anti-Semitism, and then themselves became victims of nationalistic armed bands. The academic community split into two parts. The division lasted for several years.

During the Second World War, six million Polish citizens were murdered. Intellectuals were especially singled out by the Germans. The Nazis destroyed more than 40 per cent of all national wealth. After the war, the rebuilding of the academic system was urgent and difficult. There were

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11 Ibid., p. 304.
no teachers, no qualified new students, no laboratories, no classrooms. Enormous efforts were made both by Polish society and by the government.\(^{15}\) In the academic session of 1945–46, there were 30 academic institutions with 55,000 students.\(^{16}\) Forty years later, in 1983–84, there were 91 academic institutions with 369,000 students.\(^{17}\)

**The Polish Universities under Communist Rule: The First Period**

The new communist authorities of the state regarded as valid the democratic constitution of the Polish Republic of 1921, rather than the somewhat authoritarian constitution of 1935. They did not, however, apply the same idea to the academic system, and considered the law of 1933 as still valid. The first decrees did not introduce important changes.\(^{18}\) The first really important amendment was the creation of the Council of Academic Institutions (Rada Szkol Wyzszych).\(^{19}\) The Council was an advisory body to the Prime Minister and was intended to ease the functioning of academic institutions, to provide for the material needs of the students, and to supervise the democratisation of access to higher education. Rectors were obliged to follow its decisions. The chairman and vice-chairman of the Council were appointed by the President of the Republic, and its seven members were appointed by the Prime Minister.

One year later a decree was issued “On the Organisation of Science and Higher Education” to replace the law of 1933.\(^{20}\) The decree once more strengthened the position of the Minister of Education. Its first sentence declared that scientific research was free but, like the law of 1933, it declared the minister the authority in the academic system. A new organ was created, the Main Council of Science and Higher Education (Rada Gwowna Nauki i Szkolnictwa Wyzszego). It was to co-operate with the minister. On some issues the Main Council was only advisory, on others, it was a decision-making body. The minister was its chairman, but the Main Council itself


\(^{18}\) Dekret z dnia 24 maja (Decree of 24 May), “O utworzeniu wstępnego roku studiów w szkołach wyższych” *Dziennik Ustaw Rzeczypospolitej Polskiej* z dnia 11 czerwca 1945, nr 21, pozycja 122; Dekret z dnia 16 listopada (Decree of 16 November), “O zmianie przepisów dotyczących szkol akademickich i stosunku służbowego profesorów i pomocniczych sił naukowych tych szkół”, *Dziennik Ustaw Rzeczypospolitej Polskiej* z dnia 16 grudnia 1945, nr 56, pozycja 313; Dekret z dnia 16 listopada, (Decree of 16 November), “O stosunku służbowym i uposażeniu etatowych docentów państwowych szkół akademickich”, *Dziennik Ustaw Rzeczypospolitej Polskiej* z dnia 16 grudnia 1945 1945, nr 56, pozycja 314.

\(^{19}\) Ustawa z dnia 23 wrzesnia (Statute of 23 September) “O utworzeniu Rady Szkol Wyzszych”, *Dziennik Ustaw Rzeczypospolitej Polskiej* z dnia 14 października 1946, nr 49, pozycja 277.

\(^{20}\) Dekret z dnia 28 października (Decree of 28 October) “O organizacji nauki i szkolnictwa wyższego”, *Dziennik Ustaw Rzeczypospolitej Polskiej* z dnia 30 października 1947, nr 66, pozycja 415.
elected its vice-chairman. The Main Council consisted of 15 members, appointed for three years by the President of the Polish Republic. Two thirds of the Main Council were academics. Every important decision made by the minister had to be confirmed by the Council.

Rectors were appointed for three-year terms by the President, who was advised by the minister and the Main Council. The electoral assembly of the institution proposed three candidates, of whom one was to be appointed.

The minister was an arbitrator who decided disputes between rectors and senates. He had the power to confirm or to reject the new deans who were elected by the councils of faculties, granted the charter of the institution—if it was approved by the Main Council—appointed extraordinary professors and confirmed granting of the habilitation; in both cases, his decisions were subject to objections by the Main Council. Ordinary professors were formally appointed by the President of the Republic.

Academic governing bodies became more democratic in their composition; their position was relatively strong. The general assembly of the institution, which was to meet once a year, consisted of all professors and associate professors, as well as representatives of assistant professors, assistants, other employees and students. The senate consisted of the rector, pro-rectors, deans, pro-deans, professors, delegates of associate professors, assistant professors, students and other persons, in accordance with the charter. The councils of faculties consisted of professors, associate professors, and representatives of assistant professors and assistants.

The decree of 1947, which seriously limited the autonomy of academic institutions, was issued in a situation of still surviving political pluralism in Poland—even if this was smaller than during the dictatorship of Pilsudski. From 1948 onwards, the political system was transformed very quickly in the direction of total monopoly of political power by the Communist Party. The new situation brought about new laws bearing on the academic system, as well as on much else. In December 1951, the new law “On Higher Education and Scientists” was issued. 21 It abolished what remained of the autonomy of academic institutions. The first article did not declare freedom of science; it asserted instead that an academic institution “trains and educates the young generation in the spirit of service to the country, the struggle for peace and socialism”. In practice, it meant a total subordination of higher education to the Party’s leaders who alone had the power to decide in what the interest of Poland consisted, and what socialism was.

Under the new law of 1951, the Main Council was to be appointed, not by the President, but by the Prime Minister. It ceased to be a decision-making body, and its only role was to advise the Minister of Education—who was still its chairman—at his request.

21 Ustawa z dnia 15 grudnia (Statute of 15 December), “O szkolnictwie wyższym i o pracownikach nauki”, Dziennik Ustaw Rzeczypospolitej Polskiej z dnia 7 lutego 1952, nr 6, pozycja 38.
The minister acquired, through the new law, the power to grant the charters of academic institutions and to appoint rectors and deans. He was given power to decide on the appointment of associate professors and professors; candidates still had to have the required degrees. Degrees were conferred by the central qualifications committee (Centralna Komisja Kwalifikacyjna). Its chairman was in practice the minister himself.

The general assembly of the institution, the senate and the councils of faculties, did not change their composition, but their powers were greatly reduced.

*University Legislation after the Polish October*

The law corresponded in character to the Stalinist political system and declined with it. A political crisis occurred in 1956. Academics began to demand the restoration of academic freedom. An amendment to the law of 1951, enacted on 10 September, 1956, preceded other changes of the political system in a liberal and democratic direction. It also opened the way to the discussion of a new higher educational law.

The law of 1956 changed the composition of the Main Council, which was henceforward to consist of 60 members, all academics. The minister was still its chairman. He still granted the charters of the academic institutions. Members of the senate and of the councils of faculties were granted the right to require the rector or the dean to convene a meeting of the bodies in question. The rector was elected for a three-year term by the senate or by the general assembly of all "independent teachers". The minister had the authority to veto, but not to appoint. He was empowered to dismiss the rector, but, before doing so, had to consult the senate. Deans were elected by the councils of faculties for two-year terms.

In every academic institution, new elections were organised immediately. A monthly, *Zycie Szkoły Wyzszej* (Life of Higher Education), published lists of new university officers. Further measures of liberalisation continued to be discussed. Proponents of various reforms published their views in a variety of weeklies; the opponents of reform published their views in *Zycie Szkoły Wyzszej*. An official of the Ministry of Education, Zygmunt Ratuszniak, severely criticised the law of 1933, declaring that the new law would be much more democratic. He did not mention, however, the fact that the regulations which had been in effect one year earlier were far more authoritarian than the law of 1933. The Marxist philosopher, Jan Legowicz, warned of the danger of aptheosising academic freedom and of admitting

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22 Ustawa z dnia 10 wrzesnia (Statute of 10 September) “O zmianie ustawy z 1951 roku”, *Dziennik Ustaw PRL* z dnia 18 października 1956, nr 45, pozycja 205.
23 *Zycie Szkoły Wyzszej*, no. 11 (November 1956).
non-Marxist philosophy into academic institutions.\textsuperscript{25} Similarly, Kazimierz Kakol pointed out the dangers of spreading chaos, anarchy, and “anti-scientific”—i.e. non-Marxist—methodology.\textsuperscript{26}

The new law of 5 November, 1958, “On Academic Institutions”\textsuperscript{27} led neither to an “apotheosis of freedom” nor to “chaos”. The aim of academic institutions was defined as “active participation in building and strengthening socialism in Poland”. The main obligation of an academic was to “bring up and educate enlightened citizens, devoted to socialism”. The main obligation of rectors and deans was to ensure that “teaching and education were in accordance with the spirit of socialism”.

The Minister of Education, the supreme authority in higher education, had the power to suspend or overrule any resolution of any organ of any academic institution. He was the chairman of the Main Council, which continued to have only an advisory function and not the function of a decision-making body. All the members of the Main Council had to be “independent teachers”; two thirds of them were elected, one third being appointed. The minister appointed the rectors of newly created institutions and had the authority to veto the election of any rector or dean, and to dismiss those already in office.\textsuperscript{28} He had the deciding voice in disputes between the senate and the rector. He appointed associate professors—the power to appoint professors was vested in the Council of State—and if a disciplinary committee requested it, he could dismiss associate professors. (Professors could be dismissed only by the Council of State.)

The rector was elected by the senate or by the senate with representatives of the councils of faculties. The senate itself was only an advisory body to the rector, except that it had the right to draft the charter, to rescind resolutions of the councils of faculties, and it could apply to the minister to dismiss the rector. Representatives of the trade union were non-voting members of the senate. The deans were elected by the councils of faculties.

1968: The Reinstatement of Regressive Higher Education

The law of 1958 was in effect for ten years. It was changed after a decade when the political situation itself changed. In March 1968, a small group of students at the University of Warsaw organised a demonstration against an action taken by the government to prevent the production of Adam Mickiewicz’s poetic drama Dziady (Forefather’s Eve), a classic of Polish Romantic literature. The riot police attacked the demonstration with water-cannons and tear-gas, entered the precincts of the university and beat

\textsuperscript{25} Legowicz, Jan, “Ideowe niebezpieczenstwo apoteozowania swobod’” (Ideological Dangers of Apotheosizing Liberties), \textit{Zycie Szkoly Wyzszej}, no. 12 (December 1957), pp. 366.

\textsuperscript{26} Kakol, Kazimierz, “O wlasciwe rozumienie autonomii szkoly wyzszej” (The Correct Understanding of the Autonomy of Academic Institutions), \textit{Zycie Szkoly Wyzszej}, no. 12 (December 1957), pp. 7–8.

\textsuperscript{27} Ustawa z dnia 5 listopada (Statute of 5 November), “O szkołach wyższych”, \textit{Dziennik Ustaw PRL} z dnia 20 listopada 1958, nr 68, p. 336.
many students. The Association of Polish Writers protested, and a Roman-Catholic group of members of parliament, Znak (The Sign), raised questions in Parliament. During the following weeks, police and student demonstrators fought on the streets of several Polish cities. Disillusionment engendered by the deteriorating economic situation and by unceasing restraints on intellectual freedom was widespread among the students. The government tried to control the situation by inspiring antagonism between the working class on the one hand and the intellectuals and students on the other. It entered upon a prolonged campaign of purges, anti-Semitic slander, denunciation of supposed revisionists and “crypto-Stalinists”, and “a general onslaught on creative intellectuals”. There followed changes in the regulation of higher education, dismissals and the eventual emigration of many academics who, deprived of their appointments, were forced to live under circumstances that gave them no alternative but to leave Poland. Many persons of Jewish origin, and non-Jewish intellectuals, who had supported the persecuted were severely affected by this policy. Professors Leszek Kolakowski and Krzysztof Pomian, both philosophers, Professors Zygmunt Bauman and Maria Hirszowitz, sociologists, and the economist Professor Włodzimierz Brus, were dismissed from their teaching posts and prevented from publishing their writings; to continue their intellectual work, they had to go into exile.

To change the law on higher education required two steps. A decree was issued in September to amend the law, the object was to forestall the academic elections. The amendment gave to the minister the authority to extend the term of rectorships for one additional year, or to postpone the election and appoint the rector.

More drastic changes were made possible by a further amendment of 27 December, 1968. It required the unity of research, teaching and education. The last was to be achieved by immersing the students in the “scientific outlook”, i.e. Marxism, and in “socialist morality”.

All the old laws and decrees which gave the minister his power remained in force. Now he acquired new powers. He could decide, entirely on his own, what kind of charter an institution should have. He could appoint and dismiss rectors without consultation. He could veto the appointment of deans by rectors, and he could dismiss deans. He could determine the term of office of both rectors and deans. In cases of severe criminal or political offence, he could expel students without disciplinary proceedings. He could


29 Dekret z dnia 2 sierpnia (Decree of 2 September), “O zmianie ustawy o szkolnictwie wyższym”, Dziennik Ustaw Polskiej Rzeczypospolitej Ludowej (Laws of the Polish People's Republic) z dnia 5 sierpnia 1968, nr. 29, pozycja 188.

expel teachers if they were not, in his opinion, useful. He could suspend teachers, without even initiating disciplinary proceedings.

The members of the Main Council were no longer elected, but appointed. A new advisory committee to the rector was appointed at each university, and the first secretary of the party organisation at the institution became one of its voting members. In this way, after years of control by the Party over every other sphere of life in Poland, the “leading role of the Party” was incorporated into the law on higher education. The senate was reduced to the status of an advisory body, and the representative of the Party was one of its voting members. The representatives of the students were members without votes. The same rules were applied in the faculties. The Party became a quasi-academic body, regulating the ways in which the students were educated and trained.

Under the new law, even a person who had not habilitated could be appointed to an associate professorship. This had been possible earlier, but only as an exception. Now it became the rule. Many scholars and scientists had been dismissed and many more were regarded as hostile to the political authorities. The government found it necessary to replace “independent teachers” by persons who often lacked the required academic qualifications, but who were obedient. They have been called since then “March associate professors”. What Tadeusz Czezowski had considered 40 years earlier as inimical to university autonomy and the freedom of research was now in force.

*A Renewal of Spirit in the Universities and the Renewal of Repression*

A new democratic turn occurred in Poland at the end of 1970. The government had received huge credits in hard currency that fostered rapid and unsustainable economic growth. The government was convinced that scientific research would help economically and provided it with much support. However, it did not introduce any significant changes in a more liberal direction, either into political life as a whole or into higher education.

In the second half of the 1970s, it became clear that without a fundamental economic reform even foreign credits could not help the economy. As a consequence of the working-class demonstrations of 1976, many illegal associations were formed, at first to defend persecuted workers and later carrying on a much wider range of activities. Illegal publishing houses were created, independent discussion groups were formed, an illegal “flying university” was established. In all these initiatives, many university teachers participated. They could have been prosecuted according to existing laws, but that, in fact, happened only exceptionally. The government preferred to maintain a semblance of democracy, “humanistic socialism”, “a state without martyrs or political prisoners”. The system became less repressive in practice than it was in law. Moreover, the minister transferred some of his authority over higher education to the senates and rectors.
In the summer of 1980, a really important turn came in Polish political life, with significant consequences for every aspect of life. During the negotiations between the striking workers and the government, academics served as experts and advisers of both sides. Whatever their particular political views, the majority of them were in favour of democratic and liberal changes in the whole of public life, and in higher education as well.

In September 1980, the most important problem for the academic community seemed to be trade-union membership. But very soon the new regulations concerning higher education attracted more attention since the position of the trade-union movement seemed to be secured. The minister published in the late autumn of 1980, a letter to the teachers and students, declaring that in the spring of 1981, a bill would be presented to Parliament in order to open the next academic year with a new university law. In the meantime, the process of democratisation could begin. He declared that if any rector’s office was vacant, he would appoint only a person proposed by the senate after a secret ballot.

The minister's actions were much slower than his declarations. In any case, his preparation of the new bill was overtaken by actions of some other institutions. In October, the Jagiellonian University, for instance, organised a special committee, consisting of representatives of all faculties, to prepare a new bill. Between 25 and 30 November, a conference with 132 representatives of 65 academic institutions was held in Cracow in order to discuss the Cracow project. At the end of November, the minister established a committee on codification under the auspices of the Main Council; the minister was no longer its chairman. This committee was headed by Professor Zbigniew Resich of the University of Warsaw. The Jagiellonian University presented all the results of the conference held in November to the committee. The committee worked so slowly, however, that in February 1981 the Jagiellonian University decided to re-establish its own committee.

By the end of February 1981, three groups had their proposals ready: the codification committee, the Jagiellonian University and the University of Warsaw. The political situation in academic institutions was very tense. Strikes by students continued, as a result of the minister’s refusal to register a new organisation, the Independent Student Association (Niezalezne Zrzeszenie Studentow). New conferences to discuss the bill were held. On 12 April, the representatives of 74 academic institutions, nine members of parliament, the chairman of the codification committee and the minister met to discuss the unified bill that was to be presented to Parliament in the

31 “List Ministra Nauki, Szkolnictwa Wyzszego i Techniki do pracownikow i studentow wyzszych uczelni z dnia 31.10.1980” (Minister of Science, Higher Education and Technology to the Employees and Students of Academic Institutions), Zycie Szkoły Wyszzej, no. 12 (December 1980), pp. 3–9.

32 Gierowski, Jozef, “Jak szybko wprowadzic samorzad w szkolach wyzszych” (How to Introduce Autonomy Quickly into Academic Institutions), Gazeta Krakowska, 16 February, 1981, pp. 1,7.
spring. By June it had only gone as far as the Ministry of Education. The minister without consulting anyone, introduced modifications into the bill. On 25 August, the conference of rectors of academic institutions protested. Many of the Party organisations at academic institutions also protested. At the end of September, the minister withdrew his modifications from the text. Two months later, at the end of November, the bill reached Parliament.

In the spring of 1981, without any changes in the law, academic officers were being elected, according to the rules suggested in the minister’s letter.

The Universities under Martial Law

When the parliamentary committee on higher education discussed the bill, several organisations presented their own views and suggestions for revision. The discussion was very intense, but short. On 13 December, 1981, martial law was declared in Poland. This buried, at least for the time being, any chance of a more liberal regime in higher education. Parliament enacted the bill “On Higher Education” on 4 May, 1982, though, in a version that was nearly identical with the proposal of the codification committee. Because martial law was still in effect, some of its clauses were temporarily suspended. The content of the law calmed the political atmosphere in the academic institutions. Even if many academics considered it less liberal or democratic than it should be, everyone thought it was better than expected.

According to the law, academic institutions were to conduct scientific research, educate and train students in the spirit of socialism, according to ideas of humanism and the principles of the Constitution of the Polish People’s Republic. Academic institutions were described as self-governing communities of teachers, students and other employees. The aim of education was declared to be social justice and the good of Poland. Freedom of research and artistic creation, pluralism in scientific and artistic beliefs, the acceptance of differences in philosophical outlooks, were described as the main principles of higher education.

Academic institutions were to draw up their own charters, elect and dismiss their own officers, determine their own structure, research plans and instructional programmes. Everyone was to be allowed to expound his views, to organise and to assemble. Rectors were to be elected by the electoral college or the senate; deans were to be elected by the councils of faculties. It was possible to occupy the same office for only two consecutive terms.

33 Bedkowska, Teresa, “Naukowcy 74 uczelni kraju omawiają projekt ustawy o szkolnictwie wyższym” (Teachers of 74 Academic Institutions Discuss a Bill on Higher Education), Gazeta Krakowska, 16 February, 1981, pp. 1,7.
35 Gazeta Krakowska, 10, 16–17 and 21 September, 1981.
Representatives of all the political parties active in an institution—there are, in law but scarcely in fact, three parties in Poland—were members of the senate. Between 51 per cent and 66 per cent of the senate, the councils of faculties and the councils of institutes were to be “independent teachers”, and were to be the only voting members when academic degrees were discussed.

The senate was presented as the supreme organ of the institution. Its resolutions were to be binding on the rector, who had the supreme executive power. The same rule applied to the councils of faculties and the deans, the councils of institutes and their directors. Resolutions of the councils of institutes could be overruled only by the councils of faculties, resolutions of the councils of faculties only by the senate, and resolutions of the senate only by the Main Council. A meeting of any governing body could be called by its chairman, or at the request of one third of its members.

The student government, directly elected, was described as one of the institution’s organs. Student associations were to be registered by the rector, if they operated in only one institution, or by the minister, if they operated in more than one.

It was possible to expel a student, but only if a disciplinary committee approved of this action. A similar procedure applied to the teachers. “Independent teachers” were to be appointed and dismissed only by the minister and professors by the Council of State; others were to be appointed by the rector. Professors and associate professors were accorded permanent tenure, assistant professors who had habilitated were to be on “indefinite tenure”, whereas others were appointed only for a determinate period.

The minister retained the authority to interfere but it was limited. He could object to the content of the charter, veto the elected rectors and call for new elections.

The law gave wide authority to the Main Council of Science and Higher Education. All of its 70 voting members who were “independent teachers” and five non-voting members—assistant professors representing different types of institutions and different academic centres—were to be elected. The Main Council itself formulated its charter and elected its officers. Moreover, on many crucial issues, it had the power of decision.

Thus, under the new law, the autonomy of higher education was really considerable, although the minister could influence its functioning. The law was a compromise, and at the beginning it seemed that the government would be satisfied with it. Under martial law, however, any regulations which were desired by the Party and by the military leaders would be valid.

Martial Law at Work: The University Law of 1982

The law was to become effective on 1 September, 1982. The minister was late, however, in issuing the necessary orders. The charters of many institutions were not approved for a long time. Academic officers elected in
1981 were still in office. The Main Council was constituted too late—in November—and its opinion was necessary to solve many specific problems. In practice, the law became effective only on 1 September, 1983.

By that time, it had already been changed twice. The first amendment to the law of 4 May, 1982, was introduced by the law of 18 December, 1982, “On Special Legal Regulations during the Suspension of Martial Law”. A few clauses of this new law made it possible to expel students and teachers without taking into account the law passed seven months earlier. The next change was made half a year later. It was a law of 21 July, 1983, “On Special Legal Regulation for Surmounting Social and Economic Crisis”. Articles 13 to 16 of this law concern higher education. According to these articles, the Prime Minister is allowed for an unspecified period to overrule the resolutions of the Main Council, and the Minister of Education may suspend for six months the authorities of any academic governing body and transfer them to a single-person organ, e.g., from the senate to the rector; the minister may dismiss the rectors, deans, directors, appoint new rectors, and give the rector permission to appoint deans and directors. The minister is not required to use this power, and in this case the officers are to be elected. Only the minister can register new student organisations. He is allowed to suspend student organisations or their boards. He can expel teachers whom he considers to be of poor quality.

The new law created the possibility of very severe infringements of the autonomy of higher education. The infringements became effective before the original law of 4 May, 1982, was to come into effect. In fact, the minister has used his powers very rarely, because political tension in academic institutions has been eased.

The new law was too liberal, even with its amendments, for many groups which for 40 years had insisted on limiting the autonomy of all spheres of public life.

**Preparation for a More Restrictive University Law**

On 20 July, 1984, the minister who had until that time declared himself to be a supporter of the law, criticised in public the way the elections were conducted. In his opinion, they revealed attitudes in the academic community which were hostile towards the government. He vetoed only three elected rectors but he did suspend the electoral college of the University of Warsaw for six months, so it was unable to elect a new rector. The minister did not veto any of 128 elected pro-rectors; 48 per cent of the

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rectors elected and 49 per cent of the pro-rectors elected were members of one of the political parties. The majority of the persons concerned considered it an enormous success for these parties and the government, but the minister was of a different opinion.

Anonymous proposals for the amendment of the law were circulated. The Ministry of Education was suspected of being behind these actions, but the minister denied it and said the charges were provocations. On 16 November, during the meeting of the Main Council, he declared, however, that he was in favour of an amendment of the law. It was, in his opinion, indispensable because of the impairment of intellectual activity in academic institutions caused by the excessive number of academic governing bodies; because of the impairment of the decision-making role of professors; and because of the insufficient commitment of teachers to the shaping of the desired ideology in the younger generation. According to the Main Council, there were fewer new doctorates and habilitations because of the more stringent criteria for granting them. Many fewer reports on research were published since paper was strictly rationed. Much less research was conducted because of lack of money for research; state expenditures for science fell from 2.9 per cent of the budget in 1973 to 1.8 per cent in 1985. As regards the charge of too many governing bodies and the weakening of the decision-making powers of the professors, according to the Main Council, changes in institutional charters would suffice. In reference to the question of the commitment of teachers to the ideological training of young persons, the Main Council considered the aim of academic institutions to be education and research, not training.39

Up to the end of 1984, few opinions concerning the law were published. At the end of December 1984, the recently elected rector of the University of Warsaw declared himself to be in favour of the law in its existing form.40 The All-Nation Conference of Party Members and Social Science Professors (Ogolnopolska Partyjna Narada Nauk Społecznych), held on 7–8 December, adopted a resolution against the law because it failed to guarantee the institutional supremacy of Marxism, and had not given the ministry the authority to grant preference to Marxists in appointments.41

Polityka, the only Party weekly which did not object to the law, published an article pointing out that several actions to restrict the autonomy of various spheres of public life had been taken recently. The author of the article protested against these actions.42 At the beginning of January 1985, the discussion took a new turn. The official government daily, Rzeczpospolita, and after it all other Polish daily newspapers, published a document expressing the official opinion of the social and political 39 Rostocki, Marek, “Racje obu stron” (Arguments of Both Sides), Polityka, no. 49 (8 December, 1984), p. 10.
40 Bialkowski, Grzegorz, “Nauka poszerza wyobraźnie” (Science Broadens the Imagination) Polityka no. 52 (29 December, 1984), p.5.
41 P. K. “Miec odwage” (To Be Brave), Polityka no. 50 (15 December, 1984), p. 5.
42 Podemski, Stanisław, “Pospiech—zły doradca” (Haste is Not a Good Adviser), Polityka, no. 11 (16 March, 1985), p. 5.
committee of the Council of Ministers on the law. Recognising its significance for restoring calm to the academic community, the document presented a number of objections and proposals for amendment.

The specific charges were the following: The reason for the delay in the law becoming effective was that a majority of the institutional charters were deficient—it mentioned the failure to include in them an article declaring that the institution would educate the students “in a socialist way”; this required the minister’s intervention. Many charters defined the majority of the “independent teachers” in governing bodies as low as was legally possible—51 per cent—so that incompetent persons could participate in important decisions. The result of the elections to governing bodies was that some persons known for their anti-governmental activities were elected. Institutions were more interested in politics and elections, than, it was charged, they were in research and education. The authority of the minister, rector and dean was not broad enough. Some important decisions could be made only with the approval of the students’ self-governing body, consisting of persons who had been active in the dissolved Independent Student Association. There were almost no ways to make the students learn. To expel anyone engaged in oppositional political activities, it was necessary to initiate long and difficult disciplinary proceedings. Even where no important results arose from their research, it was difficult to dismiss persons who were not creative. No government, according to the committee, could refuse to exert influence over research and the education of the coming generation of intellectuals.

The committee suggested that a discussion of these charges should take place and expressed the hope that this would “not be dominated by the enemies of socialism”. It presented proposals for the modification of the law, among other things that the position of the minister in the academic system should be strengthened. He should have the authority to promulgate the charters of the academic institutions, to suspend members of their governing bodies, to overrule decisions by these bodies and even to dissolve them, to dissolve whole institutions, to appoint the rectors or at least to influence the list of candidates for the office, to confirm or reject the deans, who were appointed by the rectors and were no longer to be elected. The Party organisation in an institution should be authorised to review the personnel policy of the institution regarding its academic staff. A large majority of the members of senates and councils of faculties should be constituted by “independent teachers”; other categories should have very few representatives, and then only as non-voting members. Representatives of political parties should participate in meetings of the councils of faculties. The positions of rector and dean should be open to candidates who had

already been in office for two terms or more. The authority of rectors, deans and directors should be strengthened at the expense of the authority of senates, councils of faculties and councils of institutes. The organs of student self-government should consist mainly of representatives of national youth organisations. Institutions—or the minister—should be allowed to expel students and teachers without having to initiate disciplinary proceedings. The evaluation of teachers’ activity should take into account not only the quality of their research but also their political ideology. All teachers, including professors, should be appointed for a specified period, no longer than five years. “Anti-socialist activity” should be a sufficient reason to dismiss a student or a teacher.

The publication of the charges and proposed revisions shook the academic community, since they had been known in advance only by the Main Council, by which original discussion of the proposals was organised. First senates and councils of faculties presented their views. By the time of the meeting of the Main Council on 7 and 8 March, the opinions of only 49 institutions had been submitted; only one was in favour of proposed changes in the law. The presidium of the executive committee of the National Council of the Patriotic Movement for National Revival (an umbrella organisation, led by the Party) declared itself against any major changes.

Other arguments of opponents of the changes were that the law had been in effect for too short a period for its consequences to be estimated. “Non-independent teachers” taught most of the classes and made up the majority of research staffs, so they should have an influence on the affairs of their institutions. It was pointed out that political opposition at the institutions had become inactive. The fact that the minister very rarely used the powers accorded him by the law of 1983 was said to be a proof of this. Rectors and deans did not complain about their lack of authority, and the minister could influence the offices and charters without the proposed revisions. Student self-government provided an opportunity to teach students democracy in a practical way and could not be replaced by all-national organisations, since the latter included no more than 10 per cent of students. The politically more active members of the former Independent Student Association had already graduated, so they could not be members of the self-governing student organs. Circumventing disciplinary proceedings before an expulsion from the institution would introduce lawlessness. Introducing five-year contracts for professors who were the only ones on permanent tenure, would open up the possibility of expelling some persons only on political grounds. Evaluation of political attitudes would create a situation in which political loyalty would be more

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45 Stanowisko Prezydium Komitetu Wykonawczego Rady Krajowej PRON, Odrodzenie, no. 10 (10 March, 1985) p. 2.
important than research, teaching and study. The opponents of the changes thought that if, in the opinion of the minister, the situation in the academic community was still dangerous and abnormal, he could avail himself of the authority given him by the law of 1983.

In April and May, discussion came to life again, at least in Cracow, the second largest academic centre of Poland. *Gazeta Krakowska*, one of the official organs of the ruling party, published several articles by Party leaders at some academic institution in Cracow, university professors and journalists, arguing for the changes suggested by the document. It also published a few articles by teachers defending the law. The new amendments were enacted into law on 25 July, 1985, during the last parliamentary session before national elections.

A Brave Tradition and a Dismal Prospect

The movements of change in academic democracy in Poland have continuously alternated between two very strong traditions. One of them is the Galician tradition of academic autonomy, freedom of research and teaching, and the very high social status of teachers. Before the Second World War, the income of university professors was several times higher than that of civil servants. Although lower than in Galician times, "the salary of an ordinary professor was still equal to the salary of a general of..."
lowest rank or of the governor of a region". The social status of a university professor was very high. After the war the salaries of teachers dropped drastically, and the decline has continued. The social status of a university professor continues, however, to be much higher than the prestige of any other occupation. The second tradition demands governmental control over social life and the subordination of academic institutions and research to the current policy of the government.

Adherents of the first tradition believe that only in an atmosphere of academic freedom and university autonomy can research be conducted successfully, science progress and graduates be well prepared—not only for their professional careers, but also for participation in democratic political life. Adherents of the second tradition maintain that science and the higher educational policies of the government must be carried out in state-financed academic institutions. It is the only authority that can determine what kind of scientific research is necessary for the well-being of Polish society and what kind of educational ideals should be striven for.

The tradition of autonomy has a longer history in Poland than the second tradition of governmental domination over the universities, but it seems to be the weaker one. After 1933, the academic system never returned to the situation of the Galician period or of the 1920s. Nevertheless the ideals of university autonomy are still alive. This must be one of the reasons why the government never, even during the Stalinist period, managed to gain complete control over the academic community. These aspirations for academic autonomy and the freedom of research may also explain the very high social prestige of those who are considered by the mass of Polish society to be their main representatives.