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Polish legal thought in relation to the Silesian autonomy in the years 1918-1939

The Treaty of Versailles, ending the struggles of World War I, decided to organized a plebiscite in Upper Silesia and defined the boundaries of the plebiscite area. The German authorities, more and more concerned about the turn of events in Upper Silesia, decided to oppose Polish actions more vigorously. In order to convince as many Silesians as possible to remain within the borders of Germany, the Prussian Sejm adopt an act establishing the Upper Silesian Province. The Polish party was aware of the actions of the German government seeking to gain support thanks to the creation of a new province with considerable independence and to counteract this, decided to grant autonomy to Upper Silesia, which was to convince the Silesians to vote for Poland. For this purpose, the "Constitutional Act of July 15, 1920 containing the organic statute of the Silesian Voivodeship" was adopted.

The Silesian autonomy was characterized by extensive powers in terms of establishing local legislation, and its functioning was based on the provisions of the organic statute. Article I of the statute clearly states that the Silesian Voivodeship will be an inseparable part of the Republic of Poland and will have local government rights. The issue of Silesian autonomy and its scope and characteristics were often discussed during the Second Polish Republic. This should come as no surprise, taking into account the uniqueness of this solution on a national scale and the colossal importance of Upper Silesia and its industry for the rest of the country. For this reason, the problem was willingly taken up by Silesian lawyers, but also by those from other parts of Poland. However, it should be remembered that there was no consensus in this group and opinions on autonomy were divided. It is worth to highlight here, for example, the views of Professor Jerzy Stefan Langrod, who was in favor of maintaining autonomy. According to him, it was a manifestation of legal decentralization going hand in hand with local government as a form of administrative decentralization. He wanted the system to be extended to the rest of Poland. We cannot ignore the voices

against the autonomy in force in Upper Silesia and convincing that it is necessary to significantly reduce it or even liquidate it. This group included, for example, professor Wacław Komarnicki, who postulated that the autonomy should be reduced to the appropriate size. Regardless of personal opinion, many lawyers drew attention to the necessity of certain changes and adaptation of the Silesian system to the legal and political situation in force at that time.

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