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POLISH AUXILIARY FORCES AND THEIR LAW ACADEMIC SCRIPTS AT THE UNIVERSITY CAMP IN GRANGENEUVE/FRIBOURG

Abstract. The soldiers of the 2nd Division of Rifle Infantry interned in Switzerland in the years 1940–1945 were offered an opportunity to undertake studies on the grounds of cooperation between war camps and Swiss academics. Among the study programs organized at the University Camp in Grangeneuve/Fribourg were studies in law. Their syllabus included subjects taught at the University of Fribourg and provided for lectures on Polish law. The aim of the article is to demonstrate the role that the law academic scripts (course materials) played in the camp. The article includes a brief explanation of what the scripts were and outlines the origin of the series entitled *Scripts of University Lectures in Grangeneuve*, later *Fribourg – La Chassotte (Skrypty wykładów uniwersyteckich w Grangeneuve)*. They were authored, to a large degree, by soldiers themselves, together with pre-war academics based on Polish universities, graduates in law and practitioners of law. An excellent illustration of their involvement can be the script written in the winter of 1941 by Jan Świda, related to the basic institutions of Swiss inheritance law. The content of this work and the way it was prepared will be compared with the scripts created by Aleksander Meleń and Waław Petsch, printed in the same year.

Keywords: university camp, teaching law, studies in law, WWII, Polish Armed Forces, internment, Switzerland, academic scripts.

POLSKIE SIŁY POMOCNICZE I ICH SKRYPTY DO NAUKI PRAWA W OBOZIE UNIWERSYTECKIM W GRANGENEUVE/FRYBURGU

Streszczenie. Żołnierzom 2. Dywizji Strzelców Pieszych, internowanym w Szwajcarii w latach 1940–1945, stworzono możliwość podjęcia studiów w ramach współpracy obozów ze szwajcarskimi uczelniami. W Obozie Uniwersyteckim w Grangeneuve/Fryburgu jednym ze zorganizowanych kierunków były studia prawnicze. Ich program zawierał przedmioty wykładane na Uniwersytecie we Fryburgu, a także przewidywał wykłady z prawa polskiego. Celem artykułu jest ukazanie roli, jaką w dydaktyce prawa w obozie odegrały skrypty akademickie. Pokróćce wyjaśniono, czym były skrypty i przybliżono, w jaki sposób powstawała seria *Skryptów wykładów uniwersyteckich w Grangeneuve* (później *Fribourg – La Chasotte*). Ich twórcami, w przeważającej

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mierze, byli sami żołnierze, przedwojenni pracownicy naukowci polskich uczelni lub absolwenci i praktycy prawa. Jako przykład ich zaangażowania posłuży skrypt przygotowany w zimie 1941 r. przez Jana Świdę, dotyczący podstawowych instytucji szwajcarskiego prawa spadkowego. Jego treść i sposób przygotowania porównana zostanie ze skryptami autorstwa Aleksandra Mełenia i Waclawa Petscha, wydanymi w tym samym roku.

Słowa kluczowe: Obóz uniwersytecki, nauczanie prawa, studia prawnicze, II wojna światowa, polskie siły zbrojne, internowanie, Szwajcaria, skrypty akademickie.

I warn you against spiritual desertion, which would mean not using the whole time in your possession and failing to direct all your efforts towards acquiring the greatest amount of knowledge possible.

from the Division Commander, General Bronisław Prugar-Ketling's address, to the participants of the ceremony of opening university camps (Drobny 1973, 50)¹

1. INTRODUCTION

Academic scripts (course materials) have a long tradition in the history of legal studies in Poland. Their popularity is especially underscored in the memories of law graduates and by the existing copies of scripts preserved in the family or institutional archives, as well as libraries. Their traces can also be found among the reference lists from various areas of legal sciences, especially with regard to the beginnings of the 20th century (Szczygielski 2020, 135–143).

The term “script” was used to refer to the materials prepared by the professors for teaching their subject, including their own notes, organized into the framework of the lecture. The authors of scripts also included professors' assistants, as well as students themselves. The content of such textbooks might have been verified and approved of by the lecturer, but it was not always the case. If they had the professor's endorsement, the distributed scripts included a note to the effect that their content was based on the lectures and that it was authorized by the lecturer (Szczygielski 2010, 359–360). A script could also be a translation of a textbook or its fragment written in a foreign language made by the lecturer. A script was perceived as a temporary, intermediate form, updated during the course of subsequent academic years and often providing a basis for a future textbook. It often happened that the only difference between scripts and regular academic textbooks lied in the way they were reproduced because instead of regular print, they were printed by means of various lithographic techniques.

The need to rely on the printed academic scripts for studying law in the first half of the 20th century was born out of the sheer lack of access to academic

¹ The official opening of the university camps took place at the turn of October and November 1940 (Matyja 2013a, 97).

textbooks. The latter were published in limited edition or it was impossible to purchase them due to financial or logistic reasons. The printing and distribution of the scripts was often organized by students belonging to academic societies active within law faculties or those belonging to “Brotherly Help” groups (Bratnia Pomoc), popular Polish students’ mutual aid organizations. The profits obtained from the sale of such textbooks were then used by those organizations for financing their statutory activities.

Polish lecturers were well aware of the importance of scripts as a form of didactic aid. They also relied on it after the outbreak of WWII. Scripts were useful for studying law even when – or especially when the world around was in turmoil. They were written and read among the conflagration of war, among the realities of everyday occupation² or on a military bunk bed in the camp. The few preserved copies provide a testimony to those times, but they can also be seen as material for research and analysis. The aim of the present article is therefore to explore the circumstances in which the scripts originated, as they were written for special students – Polish soldiers of the 2nd Division of Rifle Infantry (2DRI), interned in Switzerland in the years 1940–1945. What is more, the content of one of those scripts entitled *An Outline of Swiss Inheritance Law (Zarys szwajcarskiego prawa spadkowego)* will be discussed in greater detail. The author of the script was Jan Świda³, holding the function of research assistant in the camp.

2. THE INTERNMENT OF SOLDIERS

Upon the order of Commander-in-Chief, Gen. Władysław Sikorski of 11 November 1939, the 2DRI began to be formed⁴. Colonel Bronisław Prugar-Ketling was appointed as commander of the Division and, at the same time, he was promoted to the rank of Brigadier General. The division was sent to front lines as early as in the middle of June 1940, having been assigned just a few weeks prior to the 45th Army Corps of Gen. Marius Dailé. On 18–19 June the 2DRI fought

² Among the memories of people involved in conspiracy activity during WWII, one can find information about organizing underground education for the students of the Free Polish University (*Wolna Wszechnica Polska*). In 1943, People’s Cooperative Publishing “Płomienie” was established in a small village of Wiśniew (at present County Siedlce), which published brochures and scripts for students of the Free University (Jońca 2020, 427). One of the publications included a study by Borys Łapicki on political systems of contemporary states. It was published as backdated to 1936. Most probably, Łapicki also published in this way scripts on Roman law and on democracy in ancient Athens (Jońca 2018, 68).

³ Jan Świda, doctor of law, before the outbreak of WWII worked as senior assistant to Prof. Karol Lutostański at the Faculty of Law of the Józef Piłsudski University in Warsaw (Vetulani 1976, 116).

⁴ The division functioned in accordance with the French organizational norms and was incorporated within the French army.

intense battles with the German forces on the hills of Clos du Doubs and although in those confrontations they managed to suppress the attacks of the enemy, Gen. Daillé ordered his forces to cross the border with Switzerland after they had run out of ammunition. A similar order was issued earlier by Gen. Sikorski, but Gen. Prugar-Ketling received it belatedly. Taking into account the above decisions, as well as the overall front situation, the Commander of the Corps and Polish Commander turned to the Swiss government asking for permission to cross the border with Switzerland by the army and to accept them for internment⁵. After the permission had been granted by the Federal Council of the Swiss Confederation, Gen. Prugar-Ketling ordered his units to cross the border (Matyja 2013a, 50–51). The situation was complicated for both the soldiers of the 2DRI and the Swiss authorities. Many years later, Aleksander Blum⁶ would refer to the controversial decisions of the Swiss government in the first months after the crossing of the Swiss border by the army with a certain dose of understanding: “the first difficulties of the internment resulting from the inexperience on the side of both the interning and the internees, as well as from the strong influence of the German Embassy in Bern, were to be successfully solved with time” (Blum 1997, 93). The provisions of the Hague Convention of 1907 do not specify the rights and obligations of internees; hence a lot of the regulations were implemented analogously to the situation of prisoners of war⁷. Moreover, it was believed initially that the internment was to be merely a short, transitional state for the Polish forces.

3. STUDIES AS A REMEDY FOR BOREDOM

The policy of isolating the interned adhered to by the Swiss authorities (Matyja 2013a, 68–82; Thielmann 1998, 99–103) was soon to be faced with a very basic challenge:

⁵ On behalf of the commanders, the request for internment was submitted at the Swiss border post by two officers from the 45AC and 2DRI on the grounds of the Convention of 18 October 1907 respecting the rights and duties of neutral powers and persons in case of war on land (so-called Convention V). See: Raczek (1965, 5).

⁶ Captain Aleksander Blum arrived at the Fribourg camp in the second academic year of its functioning. Often described as a real hard worker, not only did he finish his doctoral dissertation under the supervision of Prof. Edward Cros and was the first internee soldier who obtained his doctoral degree in war-camp conditions, he also organized a clandestine school of infantry cadets with Gen. Prugar-Ketling’s permission (Blum 1997, 113–117). A group of soldiers trained in this way decided to leave the internment camp and join the French partisans. Moreover, in 1944, Capt. Blum organized a secret training course for the French students from Fribourg for the leaders of *maquis* units – small resistance groups (Blum 1997, 136; Thielmann 1998, 117–118).

⁷ Switzerland in its actions referred to the provisions of the Convention of 27 July 1929 on the Treatment of Prisoners of War, applying its articles *per analogiam* (Drobny 1973, 12–19).

In the same way as during the internment in Romania or Hungary, also in Switzerland, it was inactivity of the soldiers that posed the greatest threat. It was followed by discouragement and weakening of the soldiers' morale, as well as conflicts and tensions in mutual relations. (Vetulani 1976, 38)

Initiatives concerning education of soldiers came from internees themselves. It was soon discovered that educational activity was one of tools with which it was possible to countermeasure the all-encompassing stagnation and resignation experienced by the interned soldiers. In this regard, Adam Vetulani's⁸ determination in organizing educational opportunities for internees on both secondary school and academic⁹ levels is not to be underestimated. His efforts won the approval of the 2DRI Command, Polish Embassy in Bern and the European Fund for Students' Aid (FESE). André de Blonay, secretary general of FESE, obtained permission from the Internment Commissariat (*Kommissariat für Internierung und Hospitalisierung*) to establish both the secondary school and university camps in September 1940 (Drobny 1973, 77–78). What also soon proved to be a challenge was the preparation of appropriate study curricula for different levels of education – soldiers represented a variety of educational levels, from illiterate persons, through low literacy and functional illiteracy to persons who had been pursuing academic careers at the level of doctorate or habilitation until the outbreak of the Second World War (Zaniewska 2004, 99).

Already in the autumn of 1940, three university camps were organized for the interned Polish soldiers of the 2DRI. In one of them, in Grangeneuve, operating under the patronage of the University of Fribourg¹⁰, the faculties that started work included the humanities, law, theology, soon to be followed by natural sciences (Matyja 2013a, 97). The Internment Commissariat appointed Prof. Max Zeller as inspector of the higher education camps and his duties included military and academic supervision of the camps (Matyja 2013b, 87). The Senate of the supervising academy delegated the academic head of the camp, referred to as the rector by the soldiers. In Fribourg, it was Prof. Edward Cros, with Polish

⁸ Adam Vetulani – Professor of the Jagiellonian University, Head of the Department of Canon Law in the years 1934–1939. After the outbreak of WWII at first, he was interned in Romania but he was able to get to France and together with the 2DRI remained interned in Switzerland. After the end of WWII, he returned to Poland and followed an academic career at the Jagiellonian University.

⁹ Waclaw Petsch and Bolesław Hupezcyc undertook similar actions at the camp in Sumiswald in August 1940, where they petitioned the most important academic centres in Switzerland, representatives of Polish authorities and various organizations and academic institutions. They postulated organizing vocational courses for young people, as well as university camps in Zurich and Geneva (Petsch 1967, 118–119).

¹⁰ The biggest university camp was the camp in Winterthur, whose activities were supported by the Federal Polytechnic School and University of Zurich. The second university camp under the patronage of the University of St. Gallen was initially located in Sirnach and then in Herisau and Gossau. The verification commission responsible for recruitment among soldiers was headed by Vetulani (Rucki 1993, 25, 28).

roots, who was appointed the first rector (Drobny 1985, 176–177). The Polish head of the camp was a dean who, together with his assistants, was responsible for the implementation of the didactic process and research work¹¹. They created the pedagogical council, who was independent of the military commander of the camp in academic matters (Matyja 2013b, 90). Apart from that, the academic structure of the camp also consisted of faculty deans¹².

The beginning of the academic year was scheduled for 8 November. The lecturers starting work there were primarily Fribourg professors and assistant professors who worked at Polish higher education institutions before WWII. Student soldiers acquiring knowledge under the aegis of the University of Fribourg were allowed to participate in classes on the premises of the university only since the academic year 1941/1942 (Vetulani 1976, 133). Throughout the first year, the Swiss professors commuted to the camp to their students to deliver their lectures. They taught their subjects in French and German. The program of studies, especially prepared for the purpose of teaching law at the camp, was an amalgam of the Swiss model of studies in law and the Polish one. The authors decided on such an approach believing that the aim of the program should be primarily to educate future graduates for the purpose of serving Poland – soon, as hoped, to be free from the occupants. This is why the potential of the local professors was used, simultaneously providing students with education pertaining to Polish legal regulations¹³.

The military drill was also obligatory during typically academic classes. Absence was not tolerated and treated as a violation of discipline. Notorious problems in this respect, especially combined with a lack of progress in learning were a basis for being removed from the list of the students. The program of studies

¹¹ Student soldiers answered to four authorities: Swiss and Polish military administration, Swiss university authorities, as well as Polish scientific authorities (Petsch 1967, 120).

¹² In the summer semester of 1941, the position of the Dean of the camp was abolished, dividing the competences between the deans of the faculties. Additionally, in August 1941, Gen. Prugar-Ketling moved Prof. Vetulani to the National Command Headquarters in Elgg. As the reason for his removal, Vetulani named exceeding the bounds of his powers (Vetulani 1976, 130). Other pointed out additionally to overwork and excessive burden of duties (Drobny 1985, 178), as well as mutual animosities and incompatibility of characters with Prof. Cros (Blum 1997, 110). He was replaced in the position of Dean of the Faculty of Law by Prof. Antoni Deryng (Drobny 1985, 179). Before the war, Deryng worked as Assistant Professor at the faculty of Law of the Jan Kazimeirz University in Lviv, and then as Professor at the Faculty of Law and Socio-Economic Sciences of the Catholic University of Lublin. He was also Member of Parliament of the Republic of Poland of the 5th term. Expert on international law. During WWII, as a civilian refugee, he settled with his family in Geneva (Staszewski 2006, 72).

¹³ The subjects taught at the Faculty of Law included: history of Polish law, history of the Polish political system, Polish administrative law, local government law, criminal and substantive law, criminal procedure, Polish code of legal obligations, etc. It was assumed that the whole program of studies would last three years and would end with a degree of a Bachelor of Laws after taking appropriate examinations (Drobny 1985, 174–175).

stipulated an average of 8 hours a day of lecture and class time. During their leisure time, internees were expected to study on their own (Zaniewska 2004, 111).

Apart from gathering students, university camps brought together the intellectual elite of the 2DRI. A group of soldiers who were graduates of legal studies in Poland and who worked at Polish universities and at judiciary or governmental institutions were deployed to assist in the conducting of lectures and classes. Each of the Swiss professors was assigned an assistant, whose responsibility was to take notes during the lecture, translate them into Polish and then instruct students with the given material (Vetulani 1976, 115). For instance, Prof. Pierre Aeby, lecturing on Swiss civil law, was assigned Dr. Jan Śliwa to assist him with his work (Vetulani 1971, 3). Additionally, assistants conducted some of the classes themselves, including foreign language classes, and every fortnight they had to verify students' progress from the entire material covered, first in Polish and with time in the language of the lecture. In the military jargon they were referred to humorously as the *Polish Auxiliary Forces* (*Polskie Siły Pomocnicze*; see: Drobny 1985, 179).

4. SCRIPTS FOR TEACHING AND LEARNING LAW

Adam Vetulani, Dean of the university camp in Grageneuve in the academic year 1940/1941 wrote:

we have soon realized that the notes taken by the students from the lectures, no matter whether delivered by the professors or assistant translators were not enough. Therefore, after a discussion with the professors, I decided that we need to start copying and distributing scripts from lectures in both Polish and lecture languages – even though as Professor of the University in Cracow, I was completely against such an approach.

In his reminiscences, Vetulani referred to the situation from the first semesters of the existence of the university, when the Swiss professors voiced their concern regarding the level of linguistic competence among the soldiers concerning the languages of the lectures. Students' linguistic problems translated into problems with understanding of the material and it consequently impacted their preparation for exams. In the opinion of internee students, "the scripts were especially useful at the time when they did not yet have direct access to Swiss academies" (Drobny 1985, 150). What is interesting, in the preface to his textbook *An Outline of Swiss Inheritance Law* (*Zarys szwajcarskiego prawa spadkowego*), Dr. Jan Świda pointed out that he undertook to prepare the script on the initiative of Vetulani himself.

The authors of scripts emphasized themselves that their content was merely didactic in their character and included notes to the effect that "this work has no pretension to be considered as scholarly study" of a problem, system or

subject. Such disclaimers would appear on the first pages of the manuscript or in the preface. Waclaw Petsch¹⁴, author of the script *International Private Law (Conflict-of-law Rules) (Międzynarodowe prawo prywatne [prawo kolizyjne])*, printed in 1941 under no. 24 of the series, emphasized such a clarification very adamantly. He also indicated that the script based on the lectures and studies conducted by Prof. Max Gutzwiller was written as a result of the lack of access of students to regular textbooks (Petsch 1941, I). Thus, the formula seems to be well-established, customary and it appears in almost identical words in other scripts, especially those written in the Polish language.

It is not only in the prefaces to scripts and published memoirs that the authors betray their unfavourable attitude towards such publications. Such opinions are also to be found among their private notes. The title page of a copy of the script entitled *An Introduction to Legal Studies (Wstęp do nauk prawnych)*, written by Aleksander Meleń¹⁵, MA, which Waclaw Petsch received as a gift on 8 July 1941, includes the following dedication:

Dear Waclaw, the world is at war... on the Swiss island of Peace, among the collapsing Europe, we are killing the emptiness of the interned life by, among others... writings scripts. Although necessary, it seems such a stupid preoccupation in the light of history taking place next to us, somewhere aside. If we happen to sit here much longer, perhaps I will be able to offer you a copy of my doctoral thesis... For the time being, please accept this "substitute," resembling a scientific study in as much as our life resembles that of a free man...

It seems clear that the assistants shared Dean's negative opinion as to this form of teaching materials¹⁶.

The scripts were published under the title *Scripts of University Lectures in Grangeneuve (Skrypty wykładów uniwersyteckich w Grangeneuve)*, and then *Scripts of University Lectures in Fribourg – La Chassotte (Skrypty wykładów*

¹⁴ Waclaw Petsch, specializing in public international law. In 1961 he received his doctoral degree at the Polish Academy of Sciences in Warsaw. In Fribourg, he assisted Prof. Max Gutzwiller in his lectures on private international law.

¹⁵ Aleksander Czesław Meleń-Korczyński, former assistant at the Jan Kazimierz University in Lviv. Apart from the degree in law, he also completed diplomatic studies at the Diplomatic School of the Jan Kazimierz University and received a Master's degree. After WWII, he was involved with the activities of the Polish University in Exile in London. In 1952, he became a political commentator in New York for the Radio Free Europe. He cooperated with the Józef Piłsudski Institute in America.

¹⁶ An unfavourable attitude of the academic staff towards the scripts was clearly visible also at other camps. "It should also be noted that the Rector of the University of St. Gallen forbid the assistants to prepare scripts, taking the stance (quite justifiable, for that matter) that students of the 6th semester should already have a good command of the legal terminology to be able to take notes from the lectures on their own. In such a case, the students at the camp took it upon themselves to further work on the script" (Drobny 1985, 150). The above comment contains a somewhat inconspicuous message that contrary to the negative attitude of the staff, the students had an entirely different opinion concerning the scripts.

uniwersyteckich Fribourg – La Chassotte). Until 1943, 66 issues had been printed (Vetulani 1976, 115–116), consisting of combined 4394 pages (Drobny 1973, 54)¹⁷. Władysław Drobny divided them according to the following criteria: “in the Fribourg camp there were 27 individually prepared scripts, 29 scripts based on the lectures of Swiss professors, 2 publications of legal sources (codes) and 8 scripts of unknown authorship” (Drobny 1985, 150). Among the prepared materials, there was also a Polish-French-German dictionary of legal terms, written by vice-consul Dr. Tadeusz Stark, published in 1943 as no. 45 of the script series (Vetulani 1976, 118). Legal sources were also copied and distributed, among others, the Act of 2 August 1926 on the law applicable to private international law relations (*Ustawa z dnia 2 sierpnia 1926 r. o prawie właściwym dla stosunków prywatnych międzynarodowych*), available in the Polish, German and French language. There is no indication as to who prepared the text for printing. It is different in the case of the collection of historical and current acts, that is no. 34 in the script series, including the *Texts of Polish Constitutions (Teksty Polskich Konstytucji)*, prepared by Jerzy Gawenda¹⁸.

The number of the series was assigned when the script entered the circulation. It can be well observed in no. 2, that is, *An Outline of the Swiss Inheritance Law* by Jan Świda, which contains a short list of scripts after the preface. The first part concerns the issues that had already been made available – the script on the history of the sources of canon law by Adam Vetulani and the current script by Świda. The second part of the list focuses on the scripts being “in the works,” such as an outline of marriage law in canon law, introduction to legal sciences, civil procedural rules, history of the sources of Roman law and an outline of Swiss family law. Further details concern the scripts “in preparation,” that is, history of law in Western Europe, an outline of the history of Poland’s political system and the material for the issue devoted to the relation between the state and Church (Świda 1941, 1). The phrase “in the works” seems to imply the author’s work on the text itself, whereas the term “preparation” may suggest various editorial work, proofreading or the very printing of subsequent copies.

Necessarily, the process of preparing scripts for students had evolved. The first editions were drafted at express pace. As professor of the Jagellonian University, specializing in the history of canon law, Vetulani was not likely to have any problems with transferring his knowledge onto the pages of the scripts. As he remembers himself, he wrote his first works – on the history of the sources

¹⁷ According to other calculations, the first 24 booklets totalled circa 1000 pages (Piekarski 2002, 102).

¹⁸ Jerzy Gawenda finished studies in law at the Jan Kazimierz University in Lviv shortly before the outbreak of WWII. At the university camp in Fribourg, he worked as assistant to Prof. Max Gutzwiller. He was also president of the camp’s Brotherly Help group. In 1945, he managed to obtain his doctoral degree in law. Since 1949, he served as Dean at the Faculty of Law at the Polish University in Exile in London (Mierzwa 2018, 90).

and on marital canon law – on a typewriter with as many carbon copies as he had students.

However, Świda's script was already reproduced with the use of a lithographic method and so were the subsequent issues of the booklets. Vetulani also remembered that at the beginning the whole process was to be financed exclusively by the National Culture Fund (Fundusz Kultury Narodowej)¹⁹; yet on the cover of *An Outline of Swiss Inheritance Law* there is a note: "printed by the Dean's Office and the Brotherly Help Committee of the University Camp in Grangeneuve"²⁰. The preface to *An Introduction to Legal Studies. Part I* is preceded by the information that the work is property of the said Committee. It suggests that the scripts might have been only lent to students for a limited period of time for studying, which would be perfectly understandable given the fact the Committee financed their printing²¹. On the other hand, the financial resources at the disposal of the Dean's Office of the camp might have come from the above-mentioned National Culture Fund.

5. AN OUTLINE OF SWISS INHERITANCE LAW

An Outline of Swiss Inheritance Law counts 30 pages. The work was written, as the author claims in the foreword, "out of the need to come to aid in the fastest possible way to our students who are preparing at the university camps to take an examination in civil law." The author refers here to the exam that students were required to pass already in February 1941. In response to the voices appearing among the Swiss professors expressing concern that the level of teaching in the camp was not on par with academic standards, the Dean of the camp, in cooperation with the lecturers, decided to organize an examination on the subject of civil law

¹⁹ Modelled after the National Culture Fund existing in the Second Republic of Poland, an institution of the same name was established in 1939. It was Adam Vetulani who suggested such an initiative in Romania and similar activities were embarked on in France (Chmielewski 2017, 24). The main aim of the NCF was primarily to organize financial support for Polish academics and artists, working in Poland as well as outside the country's borders (Sulimirski 1961, 50). The support from the Fund played a crucial role in the shaping and functioning of Polish education in Great Britain (Radzik 1986, 43). Thanks to Vetulani's efforts, also university camps and the secondary school camp in Switzerland received small grants for scholarships for academics and literary people, as well as for other expenses connected with the educational process (Vetulani 1976, 273–276).

²⁰ One of the thirty copies of this work is to be currently found in the archives of the Polish Academy of Sciences. It arrived there following its owner, Waclaw Petsch, for whom there are a few words of dedication from the author in the upper left-hand corner.

²¹ Brotherly Help was active in each university camp. In the camp Grangeneuve/Fribourg, the group was established in 1941. The society's activities included, among others, development of intellectual and social life, mutual help between students regarding learning and financial issues. The author of the statute was Jan Świda (Vetulani 1976, 302–303).

and the history of law in Western Europe. The lectures on civil law were delivered by Prof. Alfred Siegart in German and by Prof. Pierre Aeby in French. The areas of the subject not included in the lectures were covered by Świda. What is more, as an assistant and tutor, he took notes and translated for students the lectures on civil law. He was very conscientious in his work. Already before the decision to administer the examinations had been taken, from time to time he revised with the students the whole of the material discussed by the Fribourg lecturers in civil law, as he was fully aware of the need to maintain appropriate academic standards at the university camp. At present, he increased his efforts even more so and demanded even more from his students, who were just as well aware of the importance of the approaching examinations and day by day “crammed” the examination material that Dr. Śliwa assigned them (Vetulani 1976, 124). The script on inheritance law must have been therefore prepared as auxiliary material for preparation to the first, quite unexpectedly announced examination²².

A certain haste in preparing the material is clearly visible. The work does not include a reference section, neither does it have the full text of the provisions, but merely references to the numbers of articles of the discussed legal acts. However, it did not have a significant impact on the quality of the material. Świda “stood out from the other Polish assistants in his in-depth knowledge of the Swiss civil law, which he had been intensely studying almost since the first days of our internment when we still remained in the soldiers’ camp” (Vetulani 1976, 124). As a matter of fact, Świda prepared his habilitation dissertation in the camp on the subject of Swiss inheritance law.

Apart from an introduction containing an explanation of legal terms, the content of the script is divided into two main sections. Each of them is divided into parts and chapters. The first section, entitled “Who receives the inheritance,” is devoted to the description of the group of statutory inheritors, with a detailed explanation of the parantelic system. Next, the essence of dispositions upon death is discussed. In Swiss succession law, it is regulated by two instruments – a will and an inheritance agreement. The author enumerates the provisions for the validity of such dispositions in great detail, as well as meticulously discusses the concepts of the compulsory portion and disposable portion. In the second section of the script the author moves to analyze the issues with regard to the opening of the succession and division of inheritance, further, to the obligation of “return,” that is returning whatever the inheritor received from the testator during their life, as well as the contracting of an inheritance agreement.

The language used by Świda in his work is very matter of fact. He used legal terminology but did it in a way perfectly understood by the students at the

²² In the article “Pro Memoriam,” published after Jan Świda’s death, Vetulani remembered that the satisfactory results from the examinations contributed to the decision to move the camp to the outskirts of Fribourg and also to a promise that if the end-of-year exams would bring similar results, the interned soldiers would be allowed to study within the walls of the university (Vetulani 1971, 3).

beginning of their education. The author focused on the most important issues that the students had to master, without unnecessary digressions. If in the text there are any references to the history of law or other contemporary legal systems, they are very laconic. There are only a few minor references to Roman law, among others, while discussing the methods of identifying the group of statutory inheritors (Świda 1941, 4) or the protection of financial interest of a spouse and children (p. 14). He compared Swiss regulations with the solutions from the French and German systems on numerous occasions and he also referred to the work of the Polish Codification Commission (p. 6). However, he did not mention the codification work of the Swiss, neither did he explain why a part of the innovative solutions was incorporated into their legal system. The discussed material is illustrated with case studies, as well as graphs, for instance with explanatory figures outlining succession in the parantelic system. While explaining the issues regarding inheritors' shares or the division of inheritance into the compulsory portion and disposable portion, the author did it on the basis of case studies with specific amounts of money in Swiss francs. In the discussed materials, he relied on the terminology in the Polish language, as well as in French and German.

This work does not make reference to the literature on the subject. It might be assumed that due to a lack of time and the necessity to explain legal institutions to students who had had little or no contact with law before and had taken no propaedeutic courses, Świda focused on the creation of a clear, succinct text. Another explanation for such brevity might lie in the fact that access to monographic studies and scholarly articles must have been very limited in their situation. However, it seems that as far as assistants were concerned, they had access to the most important works. It may be inferred from the reference lists in other editions of the scripts, for instance in the *Introduction to Legal Studies* by Meleń. In the report for the first semester of the academic year 1940/1941, Edward Cros indicated that the camp library included over one thousand books. The number referred to the total number of items, including Swiss codes and textbooks. Moreover, it was possible to borrow books from both canton and university libraries, including the Roman station of the Polish Academy of Sciences (Drobny 1985, 151). Thus, the omission of the subject literature in the script must have been dictated by other reasons than a mere lack of access to certain important publications. It is possible, however, that it was the result of the pressure of time or it was a purposeful decision with a view to focusing students' attention on the basic knowledge, sufficient to pass an examination.

Subsequent scripts issued as part of the series were in fact entirely different. It can be seen on the basis of the above-mentioned script written by Meleń, whose first part was prepared in 1941 as script no. 5, with Grangeneuve as its place of publication. In the dedication quoted above, he wrote the date of 8 July, which means that it was written about half a year after Świda's script. *The Introduction to Legal Studies. Part I* is more comprehensive, counting 53 pages. The last page

includes a list of bibliographical references, although it was not the full list of works the author referred to in the script²³. Most certainly, the *Introduction* is written with a greater flair and its content must have been carefully considered and planned before the publication of the first booklet. The second part of the *Introduction* (Meleń 1941b), issued as script no. 21 includes Fribourg as its place of publication, albeit with the date 1941. Its printing must have taken place already at the new quarters, when the students and assistants began the second academic year. Therefore, its author was not to be daunted by the fast-approaching examinations, which had a decisive impact on the future of legal studies at the camp.

Another interesting item written in the Polish language is a booklet written by Waclaw Petsch. *International Private Law (Conflict-of-law Rules) part I and II* was printed as no. 24. The cover informs the reader that the script is based on Prof. Max Gutzwiller's lectures. In the introduction the author clarifies that the script contains the lectures from the winter and spring semesters of the academic year 1940/1941 and that the script is also based on the Professor's publications, including a lecture delivered in the Hague Academy of International Law (Petsch 1941, I)²⁴. Apart from that, in the introduction Petsch (1941, II) expresses his gratitude to Gawenda, Hoffman and Laprocki for their help in the translation of Gutzwiller's publication from German. Therefore, the script is not an original work of the author. It served as a teaching aid for students, allowing them to learn the course material in Polish. And once again, there is a note that the work was intended as subsidiary material for students preparing for exams. What is interesting, in the copy of the script offered by the author to the Polish Academy of Sciences, one can find notes regarding text corrections and certain additions to the original text of the script. It begs the question whether there was a second, corrected version of the script, or whether those were just improvements added *post factum*. It is possible that those markings appeared during the regular hours of learning and revision of the material with the students.

6. CONCLUSION

It transpires that the scripts for teaching and learning law at the university camp were, in fact, treated as necessary evil. The internees themselves justify their existence in their memoirs and the authors emphasize – both in the texts and in dedications – that those works do not aspire to academic character. The content of the scripts does not provide any new insights into legal issues. They

²³ See: for instance, Meleń (1941a, 13), where he lists the work by Savigny *Vom Beruf Unserer Zeit für Gesetzgebung und Rechtswissenschaft* of 1814, and which is missing from the final list.

²⁴ See: Gutzwiller (1929).

provide a solid synthesis of the required knowledge, describe Polish, foreign and international legal instruments in a clear and comprehensive way. Some of them were written with flair and great erudition, referring the reader not merely to the very subject they were meant to convey, but to the broadly-understood European legal culture. Others were rather succinct and economical with words, focusing merely on the explanation of the most important concepts, providing an emergency aid for students preparing for the end-of-semester examination session.

However, the existence of those modest booklets caused that, or rather was conducive to the realization of aims which might have seem unrealistic at the start. Out of approximately 240 students at the camp, 141 of them graduated with a degree in law (Matyja 2013)²⁵. The organization of the whole system of the printing process, the careful division of work and tasks between Polish professors and assistants, as well as their enormous determination and commitment to maintain the functioning of the university camp in Grangeneuve proved beneficial in the end. The academic character of the camp was preserved and with time, it was possible to offer soldiers a chance to study under regular conditions.

An analysis of the circumstances in which the scripts for teaching legal subjects were written, as well as their content, offers an insight into history on a microscale. The source material contained on the pages of the subsequent issues of the scripts is just one of the numerous aspects of the history of university camps in Switzerland which still require exploration. Yet, it seems worth taking time to consider both the content of the scripts and the entangled fates of the authors of those textbooks. There are still some aspects of the activities conducted at the university camps, such as organizational matters or various aspects of the didactic process that await further research and analysis.

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²⁵ With reference to those accomplishments, Władysław Drobny declared: "The number of rejected students was in fact quite high. However, when we take into account the conditions in which the studies took place, psychological burdens, material deficiencies, an irresistible urge to fight the enemy and abandon the studies even in their final phase, in order to take part in partisan fights or to join the regular units of the Polish Army in France and then in Italy, we should honestly declare that the results are at least good. We have to bear in mind that a considerable group of Fribourg students, abandoning their studies, left with Capt. Blum for Sabaudia in order to fight with the Germans together with the French underground forces FFI (*Forces Francaises de l'Interieur*). Indeed, even the serious, the most hard-working and the most-friendly Dr. Jan Świda, who had completed all the arrangements with regard to his habilitation process, managed to get to France and did not deliver his habilitation lecture. Such were those strange times!" (Drobny 1985, 183).

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