

NOTES

ON THE SENATE



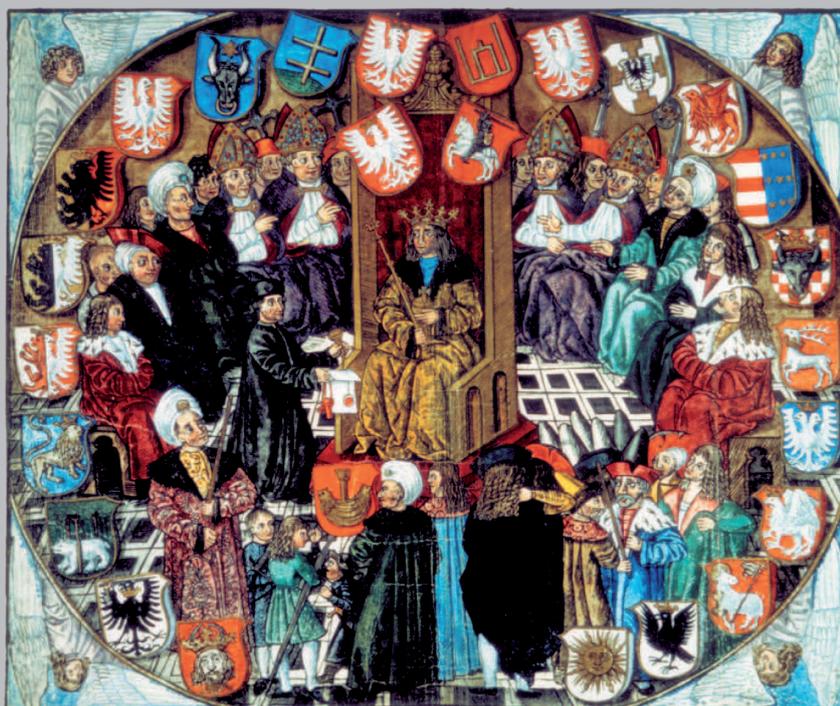
SENATE
OF THE REPUBLIC
OF POLAND

The history of the Polish Senate

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The origin of the Polish Senate can be traced back to the Royal Council – the King's advisory body. Its effect on the evolution of the State and its significance changed over the centuries.

In the old Senate, there was not a separate post of the Marshal of the Senate. The Senate's sessions were presided over by the King, who was represented in person by the Grand Marshal of the Crown – the principal minister of the Kingdom. In addition, the Grand Marshal of the Crown presided over joint sessions of the Chambers of the Sejm, i.e. the Senate and the Chamber of Deputies. Should the Grand Marshal of the Crown be absent, sessions would be presided over by the Court Marshal. Both of these two Marshals and all senators enjoyed lifelong appointment by the King. The most important senator, i.e. the President of the Senate, was the archbishop of Gniezno as the Primate and the first Duke of the Kingdom. The Primate presided over the Senate's sessions in the absence of the King. In addition, the Primate had the right to convene 'secret' councils with the Senate, even against the will of the King. During periods of interregnum the Primate became the interrex, i.e. acting monarch, and could convene the Sejm. The Senate of Old Poland existed until 1794, i.e. until the Kościuszko Uprising. The third partition of Poland took place in 1795.



King Alexander Jagiellon in the Sejm (Wood engraving, Krakow, 1506)
(photo by M. Glinicki, Archives of the Sejm Publishing House)

The history of the Polish Senate

In the periods of the Grand Duchy of Warsaw and the Congress Kingdom of Poland, the Senate would be presided over by the President of the Senate, who was appointed for life by the King from among the secular senators.

In Poland reborn after the First World War, the Senate was presided over by its Marshal and Deputy Marshals elected by senators from among their number for the Senate's term of office, in conformity with the March Constitution of 1921. This principle was maintained in the April Constitution of 1935 and in the Senate after its re-establishment in 1989.

MID-14TH CENTURY

1382

Establishment of the Royal Council, predecessor of the Senate, made up of the highest-ranking state officials, landed dignitaries and bishops (Lords of the Council). The King follows their advice in conducting all the affairs of the kingdom.

1453

The start of general assemblies of the whole kingdom, i.e. of the Royal Council with the participation of district officials, landed gentry and representatives of chapters and cities, convened to elect the King or to introduce taxes. The origin of the Sejm can be traced back to these assemblies.

FROM MID-14TH CENTURY

1493

First mention of deliberations at the general assembly in two houses: the Lords of the Council (Senate) and district deputies. Appointment of four permanent members-residents of the Royal Council of the King.

1501

The tradition of convening the full Royal Council in between the general assemblies (the Sejm) – disappears. The King goes into council with some Senators only.

1505

The Sejm evolves into a national body, passing laws (constitutions) with consent of the King, the Senate and the Chamber of Deputies.

1510

In Mielnik, senators attempted to force Alexander Jagiellon to devolve all royal powers relating to the governing of the State to them. However, whilst Alexander first agreed, after his coronation he refused to affirm this privilege.

1529

The Nihil Novi Constitution gives equal rights to the Senate and the Chamber of Deputies to make laws.

FIRST HALF OF THE 16TH CENTURY

1537

The Sejm decrees that an insult against a senator is equivalent to lese-majeste.

1562–1569

Mazovia finally becomes a part of the Kingdom of Poland and the Senate expands to include senators from Mazovia.

1569

The Senate evolves into a permanent body. It is composed of Roman Catholic diocesan bishops, voivodes, lesser and greater castellans, ministers (grand marshal, chancellor, deputy chancellors, grand treasurer and marshal of the court), appointed for life by the King. The order of precedence of seats in the Senate is laid down; the Primate is the first senator of the kingdom; the Krakow castellan is the first lay senator; the grand marshal is the first dignitary. The Senate's competences are set out: participation in legislation, foreign policy and the Sejm Court. Senate debates are presided over by the King through the grand marshal and, in the King's absence, by the Primate. Senators vote, i.e. express their opinion, and the King makes conclusions.

1572–1573

The leaders of the Executive Movement put forward the concept of the Senate as guardian of landowners' rights and freedoms, a concept disapproved by King Sigismund, who saw the Senate as an advisory body, the mainstay of royal rule. The beginning of the struggle associated with the character of the Senate during enforcement of rights and execution of property.

The Chamber of Deputies strengthens its position at the expense of the Senate.

Senators from the autonomous Duchy of Prussia were incorporated after having been absent since gaining autonomy in 1466. The Polish-Lithuanian Union in Lublin: the Royal and Lithuanian Senates merge to form the Senate of the Two Nations' Republic. After the Union, the Senate consists of 142 senators, 15 bishops, 35 voivodes, 31 greater castellans, 47 lesser castellans and 14 ministers.

The role of the Senate in the interregnum takes shape: the Primate, as interrex (acting monarch), substitutes the King. During the electoral assembly, the Senate holds separate debates, but senators vote together with landowners from their voivodeships. The Primate nominates the new King and the Grand Marshal of the Crown announces his election.

The history of the Polish Senate

1573	King Henry's Articles confirm and confer new rights on the Senate. The King must not conduct any affairs of the Republic without the Senate, in particular, he may not receive and despatch foreign envoys, levy an army, convene the Sejm or enter into marriage. The King must have 4 senators in constant attendance to advise him and oversee government. Each of them is entitled to assist the King and participate in meetings; the castellan of Krakow and a few other senators become the guardians of the royal crown.
1576	The Senate is authorized to reprimand the King when he breaks the law.
1588	Senators from the Duchy of Livonia enter the Senate.
FIRST HALF OF THE 17TH CENTURY	The Senate's grows in importance under King Sigismund III and King Władysław IV. The tradition of summoning senators to convocations other than the Sejm is revived. The King begins to rule with the help of an advisory body known as 'Little Senate', made up of a number of highly-trusted senators.
1607	Fulfilment of the hitherto unrespected rights of senators resident: their resolution are to be recorded and read out in the Sejm.
1631, 1632	The Senate uses its right to veto Constitutions adopted by the Chamber of Deputies.
1635	The Senate expands to include senators from the newly-created Czernihow Voivodeship in trans-Dnieper Ukraine.
SECOND HALF OF THE 17TH CENTURY	The Senate's importance lessens as a result of rivalry between the magnates. The Republic of Poland loses the Voivodeships of Smoleńsk and Chernihow, but the King still appoints senators from these voivodeships to sit on the Senate.
1669	The landowners shoot at senators, angered by their machinations during the King's election.
1677	A Sejm debate is halted by a senator for the first time (<i>sisto activitatem</i>).
1717	The King is obliged to implement resolutions of senators-residents.
1768	The cardinal laws: "the power of legislating for the Republic in three estates, to wit the royal, senatorial and knightly, as it has been until now, so it should remain for ever" The grand and field hetmans enter the Senate.
1773	The beginning of the Confederate Sejms, during which the Senate and the Chamber of Deputies hold joint debates.
1775	Abolition of the King's senators-residents, who are replaced by the Permanent Council, composed of both senators and deputies and headed by the King.
1790	The Uniate Metropolitan of Kiev enters the Senate.
1791	The Constitution of May 3 limits the importance of the Senate in favour of the Chamber of Deputies. The King is removed from the three estate Sejm and his function is reduced to the President of the Senate. The Senate loses much of its right to legislate, retaining only the right of veto to suspend political, civil and penal laws passed by the deputies. In other matters, the votes of the Senate and the Chamber of Deputies are counted jointly. Successors of King Stanisław August are to appoint senators chosen and put forward by regional dietines (<i>sejmiks</i>).
1793	The Sejm in Grodno annuls the Constitution of May 3 and institutes joint debates of the Senate and the Chamber of Deputies, i.e. a single-chamber Sejm.
1794	The Kościuszko Uprising: the Supreme National Council announces that a Sejm will be convened after the victorious uprising to "decide on the constitution of the nation".
1807–1815	The Senate of the Duchy of Warsaw: a second house of the Sejm, subordinate to the Chamber of Deputies. It is composed of bishops, voivodes and castellans, presided over by a president appointed by the monarch, or by the monarch himself.
1815–1831	The Senate of the Congress Kingdom of Poland becomes one of the 3 Sejm estates, on an equal footing with the Chamber of Deputies. It is composed of bishops, voivodes, castellans and princes of the imperial blood. It is presided over by the president of the Senate appointed by the King.
1921	Under the March Constitution, the Senate is re-established as the second "national legislative body" alongside the Sejm, but with limited powers, with the right of veto to delay draft acts passed by the Sejm, the right to demand written explanations of policy decisions from government ministers and to elect a state president in conjunction with the Sejm (National Assembly). The Senate, headed by the Marshal, consists of 111 senators, each of whom is elected to represent one of Poland's voivodeships. Its term of office was five years.

The history of the Polish Senate

1922–1927

Senate of the First Term. Its Marshal is Wojciech Trąmpczyński, lawyer, Marshal of the Legislative Sejm.

1926

Failed attempt by the Senate to take advantage of the August amendments to the Constitution to consolidate its powers and receive the right to initiate legislation, as well as other rights.

1928–1930

Senate of the Second Term. Its Marshal is Professor Julian Szymański.

1930–1935

Senate of the Third Term. Its Marshal is Władysław Raczkiewicz.

1935

The April Constitution increases the powers of the Senate at the expense of the Sejm, but makes both chambers subordinate to the President. There are 96 senators, a third of whom are appointed by the president and two-thirds elected by the so-called "elite" (citizens of particular merit, education and social standing).

1935–1938

Senate of the Fourth Term. Its Marshal is Colonel Aleksander Prystor.

1938–1939

Senate of the Fifth Term. Its Marshal is Colonel Bogusław Miedziński.

1939

The President of the Republic of Poland dissolves the Sejm and the Senate on 2 November and on 1 December orders elections to both chambers to be held within 60 days after the end of the war.

1946

The Senate is abolished by the communist authorities on the basis of false results of the so-called National Referendum, held on 30th June by order of the National Council (KRN).

1989

Elections to the Senate of the First Term – the first free and democratic elections (4 June). Active electoral right – 18 years, passive electoral right – 30 years. Professor Professor Andrzej Stelmachowski is elected Marshal at the first sitting of the Senate on 4th July. There are 100 senators. As set out in the Constitution, the Senate's term of office is 4 years. It was dissolved together with the Sejm, when the latter decided to dissolve itself in October 1991.

1991

Elections to the Senate of the Second Term (27 October). At the first sitting (26 November), Professor August Chełkowski is elected Marshal. The second term is cut short by the President's decision to dissolve the Sejm in May 1993.

1993

Elections to the Senate of the Third Term (19 September). At the first sitting (15 October), Adam Struzik is elected Marshal.

1997

Elections to the Senate of the Fourth Term (21 September). At the first sitting (21 October), Alicja Grzeškowiak is elected Marshal.

2001

Elections to the Senate of the Fifth Term (23 September). At the first sitting (20 October), Longin Pastusiak is elected Marshal.

2005

Elections to the Senate of the Sixth Term (25 September). At the first sitting (20 October), Bogdan Borusewicz is elected Marshal. The Senate was dissolved together with the Sejm, when the latter decided to dissolve itself in September 2007.

2007

Elections to the Senate of the Seventh Term (21 October). At the first sitting (5 November), Bogdan Borusewicz is elected Marshal.

2011

Elections to the Senate of the Eighth Term (9 October). At the first sitting (8 November), Bogdan Borusewicz is elected Marshal.