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The Role of Senators in the Commonwealth Sejm

Rola senatorów w sejmach Rzeczypospolitej

During the three centuries of the functioning of the Sejm of the Commonwealth the role of the senators continued to change. Initially, they fulfilled chiefly the function of the royal council, predominantly advising the king and forcing through approval of decisions made at nobility sejmiks. At the same time, they constituted the second chamber of the Sejm, whose legislative rights were gradually reduced in the course of the Executionist (execution-of-the-law) Movement aimed at the emancipation of the nobility and represented primarily in the Chamber of Deputies. Already at that time strivings of the senators began to change by focusing on building up their position in the nobility-dominated provinces and declaring themselves defenders against the threat of royal absolutism. As a result, the involvement of the senators in the work conducted by the seventeenth-century Sejm diminished, a process expressed in low attendance and negligible fulfilment of the duties of presenting *wota* (opinions and commentaries), the work performed by resident senators, and taking part in Senate councils. Not until the King Stanisław Augustus era did the Sejm revive and the role played by the senators grow. The senators now gained influence upon the then established Permanent Council, *via* which they could control the executive and jurisdiction. Moreover, they became the support of royal-ambassadorial rule. By the time of the Four-Year Sejm their position collapsed in the face of rising patriotic and republican attitudes in the Chamber of Deputies. As a result, it was decided to radically limit the number of senators and their impact upon legislative activity, a resolution upheld also by the last Sejm held in Grodno. These resolutions, which to a great extent limited the role played by the senators, did not come into force.

Keywords: Commonwealth in the 16th–18th cc., Polish parliamentarism in the 16th–18th cc., Senate in the 16th–18th cc., constitutions and constitutional rights in Poland of the 16th–18th cc.

W ciągu trzech wieków funkcjonowania sejmów Rzeczypospolitej rola senatorów zmieniała się. Początkowo pełnili oni głównie funkcję rady królewskiej, przede wszystkim doradzającej królowi i forsującej na sejmikach szlacheckich aprobatę podejmowanych tam decyzji. Jednocześnie stanowili drugą izbę sejmu, której uprawnienia ustawodawcze ulegały stopniowemu ograniczeniu w miarę emancypacji szlacheckiego ruchu egzekucyjnego, reprezentowanego głównie w izbie poselskiej. Już wówczas zaczęły zmieniać się dążenia senatorów, którzy skupiali się na budowaniu

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swojej pozycji na szlacheckiej prowincji, ogłaszając się obrońcami przed groźbą absolutyzmu królewskiego. W rezultacie zaangażowanie senatorów w prace sejmów XVII w. malało, co wyrażało się w nikłej frekwencji i niewielkim tylko wywiązywaniu się z obowiązków wotowania, pracy senatorów rezydentów i zasiadania w radach senatu. Dopiero w czasach stanisławowskich doszło do odrodzenia się sejmu i wzrostu roli senatorów. Uzyskali oni wpływ na utworzoną wówczas Radę Nieustającą, dzięki której mogli kontrolować władze wykonawcze i sądownictwo. Stali się też podporą rządów królewsko-ambasadorskich. Dopiero w czasie Sejmu Czteroletniego ich pozycja załamała się wobec wzrostu patriotycznych i republikańskich nastrojów w izbie poselskiej. W rezultacie doszło do podjęcia decyzji o radykalnym ograniczeniu liczebności senatorów i ich wpływu na działalność ustawodawczą, które podtrzymał również ostatni sejm w Grodnie. Decyzje, które tak bardzo ograniczały rolę senatorów, nie weszły już w życie.

Słowa kluczowe: Rzeczpospolita XVI–XVIII w., parlamentaryzm polski XVI–XVIII w., senat XVI–XVIII w., konstytucje i prawa konstytucyjne w Polsce XVI–XVIII w.

I. Introduction

Interest in the history of the Sejm of the Polish-Lithuanian Commonwealth (sixteenth–eighteenth centuries) concentrates on the functioning of the Chamber of Deputies and, to a lesser degree, refers to the Senate.[1] Pertinent literature lacks a wider discussion on the role played by the senators, since existing publications deal predominantly with the limited periods of their activity.[2] For this reason it appears purposeful to present the role of the senators in the Sejm of the Commonwealth, in which they were restrained by the principles of nobles' democracy; hence their position diverged from the model of English parliamentarianism.[3] Such a research interpretation, i.e. focusing

[1] W. Kriegseisen, *Sejm Rzeczypospolitej szlacheckiej (do 1763 roku)* (Wydawnictwo Sejmowe, Warszawa, 1995); K. Mikulski, 'Senat I Rzeczypospolitej – geneza, skład, kompetencje', in M. Narożna, R. Stawicki (eds), *Senat w tradycji i praktyce ustrojowej Rzeczypospolitej* (Kancelaria Senatu, Warszawa, 2013), pp. 16–24; A. Stroynowski, 'Zmiany pozycji senatu Rzeczypospolitej w XVIII wieku', in D. Kupisz, W. Uruszczak (eds), *Sejm Królestwa Polskiego i Rzeczypospolitej Obojga Narodów a europejskie reprezentacje stanowe* (Wydawnictwo Sejmowe, Warszawa, 2019), pp. 228–48.

[2] S. Ciara, *Senatorowie i dygnitarze koronni w drugiej połowie XVII wieku* (Ossolineum, Wrocław, 1990); K. Chłapowski, *Elita senatorsko-dygnitarska Korony za czasów Zygmunta III i Władysława IV* (Wydawnictwo Sejmowe, Warszawa, 1996); J.S. Dąbrowski, *Senat koronny. Stan sejmujący w czasach Jana Kazimierza* (Towarzystwo Wydawnicze Historia Iagellonica, Kraków, 2000); L. Kieniewicz, *Senat za Stefana Batorego* (Wydawnictwo Sejmowe, Warszawa, 2000); J. Seredyka, 'Senatorowie wielkopolscy na sejmach za panowania Zygmunta III i Władysława IV Wazów', in M. Kosman (ed.), *Kultura polityczna w Polsce*, vol. 5: *Elity dawne i nowe* (UAM, Poznań, 2005), pp. 117–47; A. Korytko, *„Na których opierała się Rzeczpospolita". Senatorowie koronni za Władysława IV Wazy* (Wydawnictwo Uniwersytetu Warmińsko-Mazurskiego, Olsztyn, 2015).

[3] S. Hołdys, 'Sejm polski i parlament angielski w XVI–XVIII wieku. Porównanie procedury', *Przegląd Historyczny*, vol. 57, no. 3 (1980), 497–514; W. Hunt, 'A View from the Vistula on the English Revolution', in B.Y. Kunze, D.D. Brautigam (eds), *Court, Country, and Culture: Essays on Early Modern British History*

all attention on the Sejm, denotes the necessity of omitting the impact exerted by the senators upon the provinces, where their political and material predominance over the nobility expressed itself the strongest and where they also realised tasks resulting from holding senatorial offices.

II. Senators

Fundamental arguments should be preceded by defining the composition and number of the senators, who included every person in the Senate. This was not a uniform group, a fact partially reflected by the order of sitting in the Senate. The prime place was occupied by archbishops and bishops. Next, came the voivodes (including castellans of Cracow, Vilnius [Polish: Wilno], Trakai [Troki], and the starosta general of Samogitia) and castellans (major, minor, and equerry). Theoretically, the last places among the senators were granted to ministers (grand marshals, chancellors, vice-chancellors, treasurers, and court treasurers), who, however, owing to simultaneously holding the more honourable offices of bishops, voivodes, and castellans, as a rule occupied higher seats.[4] Society expected all senators to demonstrate experience and knowledge, particularly legal, especially indispensable for carrying out the duties of a chancellor.[5]

Society also regarded senators as the nation's political elite,[6] comparable with the aristocracy of European monarchies. In contrast to the latter, however, senators never became a closed group, legally distinguished amidst the nobility masses, although they did reveal such strivings at the beginning of the sixteenth century, when they demanded to be called *barones*, and the nobility – *nobiles*.[7] Nonetheless, the principles of nobility democracy prevailed and excluded a simultaneous use of aristocratic

in Honor of Perez Zagorin (University of Rochester Press, Rochester, 1992), pp. 41–53; J. Choińska-Mika, D. Dean, 'Representation and Accountability: A Comparison of Early Modern England and Poland', *Parliaments, Estates and Representation*, vol. 21, no. 1 (2001), 91–103; J. Choińska-Mika, 'Dwa parlamenty nowożytne – polski i angielski (wieki XVI i XVII)', in J. Ekes (ed.), *Dziedzictwo pierwszej Rzeczypospolitej w doświadczeniu politycznym Polski i Europy* (WSB, Nowy Sącz, 2005), pp. 39–52.

[4] The order of sitting in the Senate was established together with signing the Union of Lublin. A. Sucheni-Grabowska, 'Sejm w latach 1540–1587', in J. Michalski (ed.), *Historia sejmu polskiego*, vol. 1 (Państwowe Wydawnictwo Naukowe, Warszawa, 1984), p. 170.

[5] W. Goślicki, *O senatorze doskonałym*, ed. M. Korolko, transl. T. Bieńkowski (Arcana, Kraków, 2000), pp. 179–81; A. Kamler, *Od szkoły do senatu. Wykształcenie senatorów w Koronie 1501–1586. Studia* (Aspra, Warszawa, 2006), pp. 170–75; M. Chachaj, 'Wykształcenie świeckich senatorów w Wielkim Księstwie Litewskim za panowania Zygmunta III Wazy', *Acta Universitatis Wratislaviensis*. *Historia*, vol. 66 (1988), 257–62.

[6] This pertained also to minor castellans since they often included eminent and influential men. M. Broniarczyk, 'Udział kasztelanów mniejszych w pracach sejmowych na przykładzie senatorów z Wielkopolski, Kujaw i Mazowsza w czasach Władysława IV', *Echa Przeszłości*, vol. 19 (2018), 151.

[7] Kieniewicz, *Senat za Stefana Batorego*, pp. 46–47. Such a distinction also took place in the Union of Lublin, in the formula: "Prelates, Councils, Barones, and all Estates...", *Volumina Legum* (hereinafter: VL), vol. 2, ed. J. Ohryzko (Petersburg, 1859), p. 90.

titles, as confirmed by the Union of Lublin.[8] This, however, did not signify a limitation of the political role played by the senators, who already during the reign of Stefan Batory commenced building their magnate position in cooperation with the nobility by assuming the role of the latter's tribunes, often described as "cedars of liberty" protecting against absolutism.[9] Senators managed to introduce this comprehension of their position into the political awareness of the nobility and law regulations by establishing in 1573 the institution of resident senators.[10] Consequently, by benefitting from the support of the nobility and the integration of Polish magnates with their Lithuanian-Ruthenian counterparts they won the possibility of inducing successive land grants from the king.[11] On the other hand, the resignation of the developing magnate estate[12] from a transformation into aristocracy became the reason why the path toward the senatorial elite was constantly open but did not guarantee the retention of once achieved positions.[13] The very possibility of referring to senatorial tradition, however, provided an illusory feeling of prestige expressed by using the irrelevant titles of *wojewodzic* (son of a voivode) or *kasztelanic* (son of a castellan). This recognition

[8] Ducal titles of Lithuanian-Ruthenian lords, mentioned in the act of the Union of Lublin, were treated exceptionally. See VL, vol. 2, pp. 87–88. See A. Tomaszek, 'Sejm 1638 r. w obronie szlacheckiej wolności', *Czasopismo Prawno-Historyczne*, vol. 39, no. 2 (1987), 17–39.

[9] S. Gruszecki, *Walka o władzę w Rzeczypospolitej Polskiej po wygaśnięciu dynastii Jagiellonów (1572–1573)* (Państwowe Wydawnictwo Naukowe, Warszawa, 1969), p. 286; W. Rodkiewicz, 'Kariery posłów koronnych na sejmy Stefana Batorego', *Przegląd Historyczny*, vol. 78, no. 2 (1987), 167–88; W. Dworzaczek, 'Uwagi o genezie magnaterii', in W. Czapliński, A. Kersten (eds), *Magnateria polska jako warstwa społeczna* (Polskie Towarzystwo Historyczne, Toruń, 1974), pp. 3–8; A. Stroynowski, 'Od szlacheckiej równości do arystokratycznych tytułów w epoce stanisławowskiej', in A. Barciak (ed.), *Rola arystokracji w Europie Środkowej ze szczególnym uwzględnieniem Śląska* (Studio Noa, Katowice–Zabrze, 2017), pp. 149–61.

[10] Upon the basis of Henrician Articles and the Sejm constitution of 1576, sixteen senators-residents (four each at the side of the king) were to be appointed for controlling the execution by the monarch of the resolutions of the Sejms and presenting a report to those attending the Sejm. Resident senators, however, were not elected until 1607, but in view of high costs only a few carried out their duty. Hence in 1641 their number was increased to 28, to abandon appointing them in 1717 for the sake of reinforcing the 'role of Senate councils', VL, vol. 2, pp. 151, 161; W. Konopczyński, *Geneza i ustanowienie Rady Nieustającej* (Akademia Umiejętności, Kraków, 1917), p. 55; J. Bardach, 'Początki sejmu', in Michalski (ed.), *Historia sejmu polskiego*, vol. 1, pp. 23–29; R. Łaszewski, S. Salmanowicz, *Historia ustroju Polski* (TNOiK „Dom Organizatora", Toruń, 2001), p. 54.

[11] Kieniewicz, *Senat za Stefana Batorego*, p. 35.

[12] Today it is described as a "community of the nobility's families endowed with large landed estates, with a dominating role in public life, and connected by ties of affinity". T. Zielińska, *Magnateria polska epoki saskiej. Funkcje urzędów i królewszczyzn w procesie przeobrażeń warstwy społecznej* (Ossolineum, Wrocław–Gdańsk, 1977), p. 194. *Cf.* H. Litwin, 'Magnateria polska 1454–1648. Kształtowanie się stanu', *Przegląd Historyczny*, vol. 74, no. 3 (1983), 451–70.

[13] The classic example of the Zborowski family who in the course of fifty years lost their status. E. Dubas-Urwanowicz, 'Król i szlachta na sejmach batoriańskich. Konflikty i kompromisy', in A. Sucheni-Grabowska (ed.), *Między monarchią a demokracją. Studia z dziejów Polski XVI–XVII w.* (Wydawnictwo Sejmowe, Warszawa, 1994), pp. 143–69; *ead.*, *Mężowie stanu, awanturnicy czy zdrajcy? Dzieje rodu Zborowskich w XVI wieku* (DiG, Warszawa, 2018), pp. 679–88; E. Opaliński, *Rodziny wielkosenatorskie w Wielkopolsce, na Kujawach i na Mazowszu za Zygmunta III. Podstawy karier* (DiG, Warszawa, 2007).

of the senators as a narrow elite was not negated by the general conviction about nobility equality.[14]

While speaking about senators, mention should be made of quantitative changes taking place in the course of three centuries. It must be emphasised that the stabilisation of the composition of the senators, previously rather arbitrarily shaped by the rulers, did not occur until after the bicameral Polish Sejm took shape.[15] Initially, this was a group, which during the reign of King Zygmunt I the Old consisted of 94 senators (two archbishops, seven bishops, 15 voivodes, 65 castellans, and 5 ministers: marshal, chancellor, vice-chancellor, Crown treasurer, and court marshal).[16] As a consequence of the Union of Lublin, their number rose to 135 once the Senate was joined by eight senators from Royal Prussia (two bishops, three voivodes, and three castellans), nine from lands incorporated into the Crown (two bishops, four voivodes, and three castellans) and 22 from the Grand Duchy of Lithuania (two bishops, nine voivodes, the starosta of Samogitia, and ten castellans).[17] A further increase in the number of senators took place at the time of King Zygmunt III Vasa in connection with an expansion of the frontiers of the Commonwealth and the creation of new bishoprics and voivodeships. At this time, the number of senators grew to 147 (16 archbishops and bishops, 35 voivodes, 86 castellans, and 10 ministers) and remained unaltered to the end of the Saxon era despite a temporary increase at the time of the Muscovite wars and administration changes carried out in 1677.[18] More considerable changes in the number of senators took place during the Stanisław Augustus period. Already the convocation Sejm established a new castellany of Busko,[19] and the delegation Sejm of 1767/1768 increased the number of senators by adding the voivode of Gniezno, the castellan of Mazovia, four hetmans, and two treasurers. The last expansion of the composition of the senators occurred in 1775 and increased their number to 155 after the introduction into the Senate of two court treasurers and three minor castellans (of Łuków, Zhytomyr [Żytomierz] and Ovruch [Owrucz]), while 'removing' – albeit without legal sanction – the archbishop of Lviv (Lwów) and the bishops of Chełm, Warmia, and

[14] B. Chmielowski, *Nowe Ateny albo akademia wszelkiej sciencyji pełna...* ed. M. and J. Lipscy (Wydawnictwo Literackie, Kraków, 1968), p. 347.

[15] W. Uruszczak, 'Najstarszy sejm walny koronny „dwuizbowy" w Piotrkowie 1468 r.', in W. Bukowski, T. Jurek (eds), *Narodziny Rzeczypospolitej. Studia z dziejów średniowiecza i czasów wczesnośredniowiecznych*, vol. 2 (Towarzystwo Naukowe „Societas Vistulana", Kraków, 2012), pp. 1033–56.

[16] Representatives of Royal Prussia and vassals of Poland could sit alongside them in the Senate. W. Uruszczak, 'Sejm w latach 1506–1540', in Michalski (ed.), *Historia sejmu polskiego*, vol. 1, p. 75.

[17] King Zygmunt Augustus already earlier increased the number of senatorial offices to nine members of the clergy, 82 laymen, and five ministers, Sucheni-Grabowska, 'Sejm w latach 1540–1587', p. 170.

[18] In 1677 the voivodeships of Derpt (Dorpat, Estonian Tartu), Pernau (Parnawa, Pärnu), and Wenden (Cēsis) were replaced by the voivodeship of Livonia (two senators), VL, vol. 5, ed. J. Ohryzko (Petersburg, 1860), p. 237; S. Kutrzeba, *Sejm walny dawnej Rzeczypospolitej Polskiej* (Polska Składnica Pomocy Szkolnych, Warszawa, 1923), pp. 75–78; W. Czapliński, 'Sejm w latach 1587–1696', in Michalski (ed.), *Historia sejmu polskiego*, vol. 1, p. 259.

[19] The nomination of senators by the king was retained, with the exception of the voivodes of Polotsk (Połock) and Vitebsk (Witebsk) and the starosta of Samogitia, elected by sejmiks, VL, vol. 7, ed. J. Ohryzko (Petersburg, 1860), p. 269.

Przemyśl, whose dioceses found themselves within the frontiers of the partitioning states.[20] It was decided to carry out much more radical changes after the enactment of the 3 May Constitution of 1791, when the Act on Sejms implemented the constantly recurring postulate of increasing the number of Lithuanian senators and levelling the number of deputies from each of the three provinces (from that time they were to total 68 from each province).[21] Even more important pertinent alterations were enacted by the partition Sejm of 1793, when in the wake of the administrative changes of the country (18 voivodeships with three lands each) the number of deputies was limited to 108 and that of senators – to 55.[22] These reforms, announced by the last two Sejms, never entered into force.

Throughout the entire period of the functioning of the Sejm of the Commonwealth the quantitative proportions between deputies and senators, who only initially retained their majority over the Chamber of Deputies, also underwent transformations.[23] Such a configuration of forces emerged from the statute of 1522, according to which there should have been 94 senators and 59 deputies (as a rule, their numbers grew, and the total was 93) in the Sejm.[24] These proportions became reversed after the signing of the Union of Lublin since from that time 135 senators and 167 deputies (at least 55 per cent of seats in the combined chambers) were to sit in the Sejm.[25] The period of the longest stability of the composition of members of Parliament (1677–64) witnessed a further rise in the quantitative predominance of the Chamber of Deputies, since alongside 147 senators the debates were attended by 236 deputies, who filled as many as 62 per cent of all seats.[26] The numerical supremacy of the Chamber of Deputies was not reduced until the first partition: 155 senators and 177 deputies (53 per cent of the total) were permitted

[20] According to *Porządek senatu* (Order of the Senate Debates) from that time in the Senate there were 155 senators (one archbishop and 13 bishops, 38 voivodes, 33 major castellans, 54 minor castellans, and 16 ministers), omitting the always absent four 'beyond-the-border' bishops, VL, vol. 7, pp. 292–93; VL, vol. 8, ed. J. Ohryzko (Petersburg, 1860), pp. 111–12; J. Michalski, 'Sejm w czasach panowania Stanisława Augusta', in *id.* (ed.), *Historia sejmu polskiego*, vol. 1, pp. 367, 373; Mikulski, 'Senat I Rzeczypospolitej', p. 20.

[21] VL, vol. 9 (Wydawnictwo Komisji Prawniczej Akademia Umiejętności w Krakowie, Kraków, 1889), pp. 250–66.

[22] *Porządek senatu* defined the composition of the Senate: Primate, archbishop of Lithuania, four bishops of the Crown and four Lithuanian bishops, metropolitan bishop of Rus', 21 voivodes, eight ministers, and 15 castellans, and retained lifelong rights of the senators of Smolensk. See VL, vol. 10, ed. J. Wąsicki (Poznańskie Towarzystwo Przyjaciół Nauk, Poznań, 1952), pp. 148–49. Pertinent literature presents also a slightly different composition of senators. Michalski, 'Sejm w czasach panowania Stanisława Augusta', pp. 412, 417.

[23] The king influenced the number of deputies by restricting the number of granted allowances (only later was this burden assumed by voivodeships). Bardach, 'Początki sejmu', pp. 52–54.

[24] Representatives of Royal Prussia and the vassals of Poland could also sit in the Senate; Uruszczak, 'Sejm w latach', p. 75; Sucheni-Grabowska, 'Sejm w latach 1540–1587', p. 173.

[25] Including 93 deputies from the former Crown, ten from Royal Prussia, 20 from incorporated lands, and 44 from the Grand Duchy of Lithuania; Sucheni-Grabowska, 'Sejm w latach 1540–1587', p. 175.

[26] R. Łaszewski, *Sejm polski w latach 1764–1793. Studium historyczno-prawne* (Państwowe Wydawnictwo Naukowe, Warszawa, 1973), pp. 45, 64.

to sit in the Sejm.[27] This fact produced the dissatisfaction of the Chamber of Deputies and, as a consequence, its position was fundamentally bolstered during the Four-Year Sejm by co-opting in 1790 a second set of deputies, a development that radically altered proportions by limiting the percentage of senators to 30 per cent. Additionally, the senators increasingly often avoided debates and, as a result, their participation in the most important castings of votes, such as that of 24 March 1791, dropped to as little as 16.5 per cent of those present.[28]

This fact influenced decisions made by the Sejm in 1791 and 1793. It was then that the Four-Year Sejm resolved to reduce the number of senators to 132, at the same time raising the number of deputies to 204, which means that deputies were entrusted with 61 per cent seats in the combined chambers.[29] Such a restriction of the position held by the senators took place also at the last partition Sejm, when it was decided to lower their number to 55, and that of the deputies to 108, i.e. the latter gained 66 per cent of all seats.[30]

While discussing quantitative proportions between senators and deputies it should be kept in mind that they were exclusively theoretical, since ultimate significance was attached to presence at debates. The Sejm was attended by a decisive majority of the deputies, but the number of the senators was decidedly lesser. During the sixteenth century only one-third of the senators benefited from the opportunity to participate in Sejm debates, with bishops (75 per cent) and voivodes (70 per cent) being the most disciplined; castellans, especially minor ones, were the least orderly (a mere 20 per cent). Such low attendance was partly the outcome of the senators' conviction about their smaller chances to impact the decisions of the ruler, mentioned even in complaints made by representatives of this narrow elite.[31] A similar situation took place in the seventeenth century, when a record high presence (37 per cent) of 55 senators was noted only at the coronation Sejm of 1669,[32] partly understandable considering the high costs and toils of travelling.[33]

During the Saxon era, Sejm sessions were attended by from several to over twenty secular senators, with the lowest attendance being that of the castellans (less than 10 per cent). Only at 12 Saxon Sejms were the senators, mainly due to disruptions of debates, able to present their *wota* (opinions and commentaries, on the average 30),

[27] Michalski, 'Sejm w czasach panowania Stanisława Augusta', pp. 367, 373.

[28] Among 176 voters there were 29 senators; W. Szczygielski, 'O nową ustawę sejmikową. Rezultaty głosowania sejmowego z 24 marca 1791 r.', in A. Stroynowski (ed.), *Kultura parlamentarna epoki staropolskiej. Studia* (DiG, Warszawa, 2013), p. 501.

[29] Together with bishops and ministers there were 132 senators.

[30] VL, vol. 10, pp. 148–49; Michalski, 'Sejm w czasach panowania Stanisława Augusta', pp. 412, 417.

[31] Uruszczak, 'Sejm w latach', p. 77.

[32] L.A. Wierzbicki, 'Senatorowie obecni na sejmach i zjazdach w czasie panowania króla Michała (1669–1673)', *Wschodni Rocznik Humanistyczny*, vol. 6 (2009), 74.

[33] Calculations demonstrate that during the reign of Władysław IV participants of 15 Sejms could have spent 584 days, i.e. 36 days a year, attending the debates. Considering such travails decisions to attend could come as a surprise. A. Korytko, '„Pobierzę do Warszawy, gdy tego będzie trzeba". Kwestia motywacji senatorów do uczestnictwa w obradach sejmowych za Władysława IV Wazy', *Echa Przeszłości*, vol. 19 (2018), 157–66.

which additionally lost their validity and became purely demonstrations of oratory skills. The only exception was the Sejm of 1746, which promised to be pro-reform; it was then that as many as 51 senators presented their opinions (*wota*).[34]

The situation remained unchanged also during the Stanisław Augustus period. Even at the time of the largest majority the attendance of the senators was very low; for example, at the Sejm held in Grodno in 1784 it reached only 28 per cent.[35] The situation improved slightly at the beginning of the debates of the Four-Year Sejm, when the Sejm confederation was joined by 84 (54 per cent) senators.[36] Their involvement in the work performed by the Sejm, however, declined and on 24 March 1791 attendance was barely 18.7 per cent.[37]

III. Role of the senators in the Sejm to the end of the sixteenth century

At the time of the formation of the Polish Sejm, senators played a special part due to their presence in the royal council, where the majority of decisions regarding the convening of the General Sejm were made. Here, the senators were to present an earlier agreed-upon position in an attempt to predominantly incline the nobility deputies, who benefitted from the privileges of Nieszawa and Košice (Polish: Koszyce, Hungarian: Kassa), to approve taxation proposals.[38] Such a model of impacting decisions of the assembled nobility was not formalised until 1468–93, when Sejms took shape. This is not to say that it fully satisfied the aspirations of the magnates, who aimed at winning a much stronger position, expressed in imposing the privilege of Mielnik upon Aleksander I Jagiellon. Ultimately, the privilege in question did not enter

[34] The number of participants voting at Saxon-era Sejms oscillated from 11 to 55 senators, and their presence was also connected with attempts to obtain highest offices, which in 1717–36 had to take place after the election of the marshal; Michalski, 'Sejm w czasach saskich', in *id.* (ed.), *Historia sejmu polskiego*, vol. 1, pp. 301–02, 319.

[35] This Sejm was attended by only 42.3 per cent of bishops, 43,7 per cent of ministers (62 per cent together with non-active ones), 26 per cent of voivodes, and 24 per cent of castellans; A. Stroynowski, *Obrady sejmu grodzieńskiego 1784 roku. Studium z dziejów kultury parlamentarnej* (UJD, Częstochowa, 2020), pp. 145–49, 203–04.

[36] It was joined by the Primate, seven bishops, 13 voivodes, 49 castellans, and 14 ministers; *Dyaryusz Sejmu Ordynaryjnego pod Związkiem Konfederacyi Generalnej Obojga Narodów w Warszawie rozpoczętego Roku Pańskiego 1788*, ed. J.J. Łuszczewski, vol. 1, part 1 (Warszawa, n.d.), pp. IX–XI.

[37] Szczygielski, 'O nową ustawę sejmikową', p. 501.

[38] From the time of the privilege of Košice (1374), the nobility was obligated to pay a permanent tax (two groschen), which made it impossible for the monarch to conduct an active policy without their consent; VL, vol. 1, pp. 24–25; J. Matuszewski, *Przywileje i polityka podatkowa Ludwika Węgierskiego w Polsce* (UŁ, Łódź, 1983), p. 70; K. Goździ-Roszkowski, 'Z badań nad nietykalnością majątkową polskiej szlachty. Postanowienia przywilejów z lat 1386–1454', *Studia z Dziejów Państwa i Prawa*, vol. 10 (2007), 15–32. Different interpretation in R. Sobotka, 'Między monarchią stanową a demokracją szlachecką. Znaczenie przywilejów nieszawskich w periodyzacji dziejów Polski', *Zeszyty Prawnicze UKSW*, vol. 11, no. 4 (2011), 67–101.

into force, but merely indicated the trend of efforts pursued by the senators, i.e. to distinguish themselves from the nobility estate, marginalise the Chamber of Deputies, and reduce the king to the role of chairman of the Senate.[39] Finally, the senators were forced to come to terms with the establishment of the three-estate Sejm, in which they found themselves alongside the king and the Chamber of Deputies. Without the latter it was impossible to make the most important decisions, as confirmed by the *Nihil Novi* Constitution, fundamental to the political system of the Commonwealth.[40]

From that time the senators built their position upon cooperation with the monarch, while simultaneously supporting him during controversies with the Chamber of Deputies. Only at the end of the sixteenth century did the attitude of the senators begin to change and the conventional borderline could be the Inquisition Sejm of 1592; its course revealed a new trend of activity pursued by the senators, who abandoned the model of cooperation with the king and turned to criticising him.[41]

Before that Sejm, senators attempted chiefly to obtain royal land grants by limiting their ambition to seats in the royal council, in which they formally acted only as advisers. In reality, however, they enjoyed a strong position, resulting from their experience and holding assorted offices, particularly discernible in the case of ministers. Furthermore, their status was enhanced by family connections and influence in the provinces. Nevertheless, they still remained solely the king's advisers, and this is how their role was understood by Zygmunt I The Old, who wished to base his rule on cooperation with the most prominent senators and expected the deputies to only give their consent to proposals presented to them. This stand was expressed in addressing to the senators *deliberatoria* (special letters), which were to justify the place and purpose of the Sejm debates; to the nobility as a whole the king addressed only general proclamations. In his personal letters intended for the senators Zygmunt I obligated them to become involved in the course of pre-Sejm sejmiks and to show concern for a suitable choice of deputies.[42]

The indirect impact of the senators on the outcome of the Sejm did not reveal itself until the course of its debates, when the senators played a dual role. On the one

[39] VL, vol. 1, pp. 131–33; Bardach, 'Początki sejmu', pp. 50–51; L. Sobolewski, W. Uruszczak, 'Artykuły mielnickie z 1501 roku', *Czasopismo Prawno-Historyczne*, vol. 42, no. 1–2 (1990), 61–76; Ł. Godlewski, 'Ewolucja poglądów Jana Olbrachta i Aleksandra Jagiellończyka w kwestii kształtu unii polsko-litewskiej', *Białostockie Teki Historyczne*, vol. 14 (2016), 11–40.

[40] W. Uruszczak, '„Sejm walny wszystkich państw naszych". Sejm w Radomiu z 1505 roku i konstytucja Nihil novi', Czasopismo Prawno-Historyczne, vol. 57, no. 1 (2005), 11–25; *id.*, 'Konstytucja *Nihil novi* z 1505 roku i jej znaczenie', in A. Ajnenkiel (ed.), *W pięćsetlecie Konstytucji „Nihil novi". Z dziejów stanowienia prawa w Polsce* (Oficyna Wydawnicza WSHiP, Warszawa, 2006), pp. 11–26.

[41] K. Lepszy, *Walka stronnictw w pierwszych latach panowania Zygmunta III* (Księgarnia Gebethnera i Wolffa, Kraków, 1929); *id.*, *Rzeczpospolita Polska w dobie Sejmu Inkwizycyjnego (1589–1592*) (Napoleon V, Oświęcim, 2015). On agreements between Zygmunt III and the Habsburgs, which constitute the source of the conflict, see P. Szpaczyński, *Mocarstwowe dążenia Zygmunta III w latach 1587–1618* (Universitas, Kraków, 2013); E. Opaliński, 'Zygmunt III wobec Habsburgów i Jana Zamoyskiego', *Kwartalnik Historyczny*, vol. 123, no. 4 (2016), 777–95.

[42] Such activity was undertaken by all rulers, starting with Zygmunt I the Old; Uruszczak, 'Sejm w latach', pp. 66, 69.

hand, they acted as members of the royal council and, on the other hand, they sat in the Senate, which was a separate chamber (a parliamentary estate). Only a group of ministers from among the senators was obligated to be present at Sejm sessions, and this was true, in particular, of grand marshals, who from the reign of Zygmunt I steered the Sejm debates and safeguarded their security. Just as indispensable was the presence of the chancellor or sub-chancellor, who spoke in the name of the ruler and presented projects. The remaining ministers and senators, for all practical purposes, did not speak in the course of the Sejm plenary debates since the stands of the king and the Senate were presented in the form of a Senate conclusion.[43] A special role in the parliamentary activity of the senators was played by *wota*, in which they expressed their attitude towards royal proposals, as a rule attempting to encourage the deputies to support them. Customarily, *wota* were delivered depending on the sequence of seats in the Senate, and the last voice belonged to the Crown chancellor. It must be kept in mind, however, that senators as a whole never presented their *wota* and as a result the number of speakers during the Jagiellonian era did not exceed twenty.[44] The colloquia of senators and deputies, which coordinated a joint stand regarding the most essential issues, were another form of exerting influence. The strong position of the senators, mainly chancellors, made itself felt also after ending the basic debates held by the Sejm, when the accepted constitutions were granted an ultimate shape. Moreover, during the reign of both last Jagiellons the senators took part in the work carried out by the royal Sejm court, which fulfilled the function of a supreme appellate court.[45]

Signing the Union of Lublin in 1569 brought fundamental changes in the organisation of the Sejm and the introduction of elections to the throne (1573). The Union signified the above-mentioned increase in the number of senators and deputies, and royal election was associated with the introduction of the Henrician Articles, the basis of the political system of the Commonwealth all the way to the reign of King Stanisław Augustus.[46] The Articles contained a provision about introducing the already discussed institution of resident senators who were to remain constantly by the king's side and control his decisions.[47] This meant an indubitable reinforcement of the position of the senators, albeit connected with considerable costs. At the same time, the senators' legislative initiative became limited. The weakening of their position was also the outcome of the Executionist Movement, which attempted to prohibit the combination of main offices and borough *starostwa* (*starostwa grodowe* – royal estates under a borough

[43] This sometimes inclined minor castellans to make efforts to obtain the function of a deputy; the nobility successfully protested and put an end to this practice; Uruszczak, 'Sejm w latach', pp. 85, 110.

[44] During the reign of Zygmunt Augustus, attendance of bishops and voivodes totalled 80 per cent, and of castellans – 50–60 per cent; Sucheni-Grabowska, 'Sejm w latach 1540–1587', pp. 171, 184.

[45] Uruszczak, 'Sejm w latach', pp. 87–91, 107.

[46] Łaszewski, Salmanowicz, *Historia ustroju Polski*, pp. 2–54.

[47] The actual appointment of the first resident senators took place 40 years later. Konopczyński, *Geneza i ustanowienie Rady Nieustającej*, p. 55; Sucheni-Grabowska, 'Sejm w latach 1540–1587', p. 128.

starosta).[48] On the other hand, the battle waged for the sake of creating the Tribunal (established in 1578 in place of the liquidated Sejm appeal courts) ended successfully.[49] An expression of the increasingly frail position of the senators, supporting the Habsburg candidature, was the fact that during the first free elections the nobility forced through the election of Henri de Valois, Stefan Batory, and Zygmunt III to the throne.

Those were, however, the last successes of the Executionist Movement, since the recognition of the equilibrium between the Senate and the Chamber of Deputies excluded the possibility of legally restricting the role played by the senators, whose position became consolidated after the Union of Lublin thanks to the appearance in the Senate of magnates from Lithuanian-Ruthenian lands.[50] The senators from Greater Poland and Little Poland also learned how to effectively appeal to the support of nobility sejmiks.[51] Moreover, the popularity of the slogan of defence against absolutism made it possible for Chancellor Jan Zamoyski to resort to the threat of using force; in 1592 he arrived at the Sejm surrounded by troops, a move later emulated by successive magnates.[52]

IV. The seventeenth century

From the beginning of the seventeenth century, magnate senators began, to a decidedly greater degree, to exert influence upon the course of pre-Sejm sejmiks by means of personal participation and by making use of their education, political experience, hosts of clients, private court troops, and bribery or even if only by playing host to the gathered deputies. The domination of the senators at sejmiks was favoured by the low attendance of the nobility, limited to 4–6 per cent.[53] Consequently, the senators could induce advantageous instructions and a suitable choice of deputies.[54]

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[48] Those strivings were not supported by Zygmunt Augustus, who after 1565 intended to establish an equilibrium between the Senate and the Chamber of Deputies; Sucheni-Grabowska, 'Sejm w latach 1540–1587', pp. 153, 185, 193.

[49] W. Uruszczak, 'Zasady ustroju społecznego Rzeczypospolitej Obojga Narodów a Trybunał Koronny', in A. Dębiński, W. Bednaruk, M. Lipska (eds), *Trybunał Koronny w kulturze prawnej Rzeczypospolitej szlacheckiej* (Wydawnictwo KUL, Lublin, 2009), pp. 11–26; Ł. Wroniszewski, 'Wzrost znaczenia sejmików w czasach Stefana Batorego na przykładzie sejmu 1578 roku', in Stroynowski (ed.), *Kultura parlamentarna*, pp. 132–33.

[50] Sucheni-Grabowska, 'Sejm w latach 1540–1587', pp. 197–98.

[51] This support was exploited by, e.g. the Zborowski family in 1578; Wroniszewski, 'Wzrost znaczenia sejmików', p. 140.

[52] Opaliński, 'Zygmunt III wobec Habsburgów', p. 791; *id.*, 'Próby reform parlamentu za Wazów' in Stroynowski (ed.), *Kultura parlamentarna*, p. 169.

[53] Czapliński, 'Sejm w latach 1587–1696', p. 225.

[54] On the other hand, they were not interested in preserving general sejmiks, which gradually ceased to exist; U. Augustyniak, *Informacja i propaganda za Zygmunta III* (Państwowe Wydawnictwo Naukowe, Warszawa, 1981), p. 62; E. Opaliński, *Sejm srebrnego wieku 1587–1652. Między głosowaniem większościowym a liberum veto* (Wydawnictwo Sejmowe, Warszawa, 2001), pp. 45–47; A. Rachuba, *Wielkie Księstwo Litewskie w systemie parlamentarnym Rzeczypospolitej w latach 1569–1763* (Wydawnictwo Sejmowe, Warszawa, 2002), pp. 159–62.

Inasmuch as senators were extremely strongly involved in sejmik campaigns, they hardly participated in the Sejm debates and often arrived late, particularly at the time of the *wota*, in which only 3.5–13 per cent senators took part at the time of Zygmunt III, and 3.5–10 per cent during the reign of Władysław IV.[55] Not always could senatorial *wota* influence the stands of the deputies, the absence of the debate rules – accepted in as late as 1690 – being hardly conducive to disciplining them.[56] This impact could have been more distinct in the Sejm deputations (*deputacje* – committees), in which senators always fulfilled a decision-making function. Similarly, their predominance was revealed by the former *colloquia* of senators and deputies as well as provincial sessions convoked from the time of the Sejm of 1590–91 and of special significance for the Grand Duchy of Lithuania since it was at these gatherings that Lithuanian laws were prepared.[57] This dominance of the senators over the deputies in the course of provisional sessions was the result of an Old Polish principle maintaining that votes should not be counted but 'weighed'.[58] Since provincial sessions did not apply *liberum veto* they became prolonged so as to prevent disrupting the Sejm.[59] Moreover, the senators readily made use of existing gaps in the law for the purpose of undermining already agreed-on projects, and intentionally delayed their arrival in order to become able to apply the right to contradict.[60] Similarly, in an arrangement with the monarch, at the time of the conclusion or immediately after the Sejm sittings ended, the senators tried to work additionally (and profitably) on the already accepted constitutions, or amend them, although the nobility protested against such procedure.[61]

Despite their position the senators were helpless in the face of increasingly universal attempts to paralyse and break up the Sejm. Their circles merely condemned this practice,[62] and supported plans of reforming the parliamentary system, chiefly by exempting the deputies from the duty of observing instructions and by introducing the concept of a qualified two-thirds majority. Ultimately, plans from 1655–60 ended in a fiasco, primarily due to the royal court and the division of society into warring magnate factions.[63]

[55] This was the result of fear of falling into disfavour with the king or the nobility. Czapliński, 'Sejm w latach 1587–1696', p. 260.

[56] The principle of concluding debates in the course of five days and 'without candles' pertained to the senators; VL, vol. 5, p. 371.

[57] Z. Kiaupa, 'Konstytucje Wielkiego Księstwa Litewskiego na sejmach Rzeczypospolitej Obojga Narodów jako wyraz życia politycznego', in Stroynowski (ed.), *Kultura parlamentarna*, pp. 27–32; A.B. Zakrzewski, *Wielkie Księstwo Litewskie (XVI –XVIII w.). Prawo – ustrój – społeczeństwo* (Campidoglio, Warszawa, 2013), p. 111.

[58] Czapliński, 'Sejm w latach 1587–1696', pp. 267–68, 276.

[59] They were continued "[...] by maintaining the fiction of the continuum of the Chamber of Deputies debates". Kriegseisen, *Sejm Rzeczypospolitej*, pp. 173–74; A. Stroynowski, 'Kultura obrad sejmu Rzeczypospolitej w XVIII wieku', in R. Šmigelskytė-Stukienė (ed.), *Lietuvos Didžioji Kunigaikštystė: tarp tradicijų ir naujovių*, Series: 'XVIII amžiaus studijos', 1 (Lietuvos istorijos institutas leidykla, Vilnius, 2014), pp. 16–34.

[60] Opaliński, *Sejm srebrnego wieku*, pp. 230–34, 166–68.

[61] *Id.*, *Próby reform*, p. 173.

[62] The stand of the author of a diary who condemned only Siciński while forgetting the latter's principals, the Radziwiłłs of Birże, is symptomatic. A.S. Radziwiłł, *Pamiętnik o dziejach w Polsce*, vol. 3: *1647–1656*, ed. A. Przyboś, R. Żelewski (PIW, Warszawa, 1980), p. 343.

[63] Czapliński, 'Sejm w latach 1587–1696', p. 280.

Their clashes were often shocking and revealed a departure from the ideals of the democracy of the nobility and a tendency to act as lackeys of the royal court or foreign monarchs.[64] This development produced a particularly vehement outburst of anti-senatorial moods at the time of the election of 1669,[65] which, nonetheless, did not prevent increasingly heated controversies between the senators.[66] Battles conducted by magnate factions generated the deputies' progressively more insistent demands calling for reading at the Sejm the reports from sessions held by Senate councils, which coordinated domestic and foreign policy directions.[67] The nobility's growing distrust of the senatorial elites was expressed under Jan III in the idea of a 'Mounted' Sejm, i.e. a Sejm on horseback, which was to put an end to permanent feuds among magnates that almost resulted in civil war.[68]

V. The Saxon era

Further deterioration of parliamentarianism took place during the Saxon era and was expressed in the senators' increasingly frequent avoidance of participation in the Sejm.[69] Deputational sejmiks, too, slowly lost their significance in the conditions of the progressing paralysis of the Sejm.[70] As a result, resignations from attempts to force through

[64] W. Uruszczak, 'Fakcje senatorskie w sierpniu 1668 roku', in K. Iwanicka, M. Skowronek, K. Stembrowicz (eds), *Parlament, prawo, ludzie. Studia ofiarowane Profesorowi Juliuszowi Bardachowi w sześćdziesięciolecie pracy twórczej* (Wydawnictwo Sejmowe, Warszawa, 1996), pp. 313–19.

[65] Czapliński, 'Sejm w latach 1587–1696', p. 291.

[66] A. Codello, 'Hegemonia Paców na Litwie i ich wpływy w Rzeczypospolitej 1669–1674', *Studia Historyczne*, vol. 13, no. 1 (1970), 39–40; A. Przyboś, *Michał Korybut Wiśniowiecki 1640–1673* (Wydawnictwo Literackie, Kraków–Wrocław, 1984), p. 170; M. Sawicki, '„Wojna" parlamentarna i sądowa Sapiehów z Kryszpinami Kirszenszteinami w latach 90 XVII wieku' in Stroynowski (ed.), *Kultura parlamentarna*, pp. 253–68; L.A. Wierzbicki, 'Waśnie senatorskie na sejmach za panowania króla Michała' in *ibid.*, pp. 245–68.

[67] This was of particularly great significance at the time of the Zebrzydowski Rebellion, when senators took the side of Zygmunt III, but did not gain wider support among the nobility. E. Opaliński, 'Problem uczestnictwa w obradach sejmu 1607. Kwestia autorytetu parlamentu w opinii szlacheckiej', *Echa Przeszłości*, vol. 19 (2018), 126–27.

[68] J. Bartoszewicz (ed.), *Pamiętniki Krzysztofa Zawiszy, wojewody mińskiego (1666–1721)* (nakład Jana Zawiszy, Warszawa, 1862), pp. 56–57; A. Rachuba, 'Litwa wobec projektu zwołania sejmu konnego w 1695 r. i walki Sapiehów z biskupem Brzostowskim', *Zapiski Historyczne*, vol. 51, no. 1 (1986), 63–82; D. Vitsko, 'Stanowisko Wiśniowieckich wobec sporów o sejm konny w 1698 r.', in Stroynowski (ed.), *Kultura parlamentarna*, pp. 269–84; R. Kołodziej, *„Ostatni wolności naszej klejnot". Sejm Rzeczypospolitej za panowania Jana III Sobieskiego* (Wydawnictwo Poznańskie, Poznań, 2014).

[69] They limited themselves to attempts at winning deputy seat for their sons and, as a result, magnates constituted as many as 17.4 per cent among deputies from Pinsk (Pińsk) and Brest (Brześć). M.T. Wójciuk, 'Przedstawiciele rodzin magnackich w reprezentacji sejmowej powiatów brzeskiego i pińskiego w dobie saskiej', in Stroynowski (ed.), *Kultura parlamentarna*, p. 308. *Cf.* H. Olszewski, *Sejm Rzeczypospolitej epoki oligarchii (1652–1763). Prawo, praktyka, teoria, programy* (Printer, Poznań, 2002).

[70] A. Macuk, 'Wybór pisarzy Trybunału Wielkiego Księstwa Litewskiego w latach 40. XVIII w.', in T. Ciesielski, A. Filipczak-Kocur (eds), *Rzeczpospolita państwem wielu narodowości i wyznań* (Wydawnictwo DiG, Instytut Historii Uniwersytetu Opolskiego, Warszawa–Opole, 2008), pp. 110–11.

a candidate for a deputy became increasingly frequent since a much easier way of vanquishing the dominating faction was to split or disrupt a sejmik.[71] An essential feature of these contentions was the absence of programme foundations.[72] As a result, the rules of sessions from 1690 were not amended and senators were still not required to take part in Sejm sittings, a fact willingly exploited even by the treasurer in order to avoid submitting accounts. The only indispensable presence was that of at least a single chancellor and one of the marshals. The former was obligated to announce the royal conclusion and deliver speeches from the throne, particularly essential during the reign of the Wettin dynasty. By contrast, the marshal was expected to: "convene the Senate (upon the commendation of the king), keep order in the course of the debates and within the king's entourage, announce royal verdicts in capital cases, assign quarters at the time of the Sejm session, judge the courtiers, introduce foreign deputies, carry the sceptre in front of the king, and from 1717 supervise the Saxon guards".[73]

The actual activity of the senators at the Saxon-era Sejm conventions was limited to the initial stage of the debates, when they presented *wota* concerning proposals from the throne and were appointed to assorted Sejm deputations. During the latter stages of Sejm sittings they merely waited for resolutions made by the Chamber of Deputies and became active only after the ultimate joint sitting of the chambers, which was followed by the conclusion. This part of the Sejm debates, most essential for their outcome, was constantly reduced (even to a single day) or else the Sejm dispersed without a joint sitting of the chambers and passing a constitution. Sometimes emphasis is placed on the fact that those Sejms, which succeeded to join the two chambers were not broken up, a fact that could be regarded as an expression of respect both for the king and the senators.[74]

The role played by senatorial councils continued to grow in the conditions of paralysis of the Sejm; the councils made the most important decisions, in addition, for all practical purposes, without control by the deputies to whom *resultata senatu consiliorum* were read for the last time during the Saxon era (1744).[75] Senatorial councils

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[71] A.B. Zakrzewski, 'O niektórych aspektach kultury politycznej sejmików litewskich XVIII wieku', in Stroynowski (ed.), *Kultura parlamentarna*, pp. 285–94.

[72] A. Macuk, 'Wybory posłów sejmowych na sejmikach powiatowych Wielkiego Księstwa Litewskiego w 1758 r.', in Stroynowski (ed.), *Kultura parlamentarna*, pp. 367–78; Michalski, 'Sejm w czasach saskich', p. 339. Only Zofia Zielińska noticed the programme-like character of those contentions, *ead.*, *Walka „Familii" o reformę Rzeczypospolitej 1743–1752* (Państwowe Wydawnictwo Naukowe, Warszawa, 1983).

[73] Stroynowski, *Zmiany pozycji senatu*, pp. 230–31; J. Malec, 'Z badań nad urzędem marszałkowskim koronnym w Rzeczypospolitej szlacheckiej', in H. Olszewski (ed.), *Studia z historii ustroju i prawa. Księga dedykowana Profesorowi Jerzemu Walachowiczowi* (Printer, Poznań, 2002), pp. 218–19.

[74] Michalski, 'Sejm w czasach saskich', p. 331.

[75] The councils played a special role in the policy of Augustus II, who convoked them as many as 106 times, including 50 Senate councils, 40 senatorial conferences and 16 confederation councils. At the time of Augustus III, the Senate councils were convoked 14 times; M. Markiewicz, *Rady senatorskie Augusta II (1697–1733)* (Ossolineum, Wrocław–Łódź, 1988), p. 14. *Cf.* J. Poraziński, 'Funkcje publiczne i ustrojowe rad senatu w latach 1697–1717', *Kwartalnik Historyczny*, vol. 91, no. 1 (1984), 25–44; Michalski, 'Sejm w czasach saskich', p. 321; Stroynowski, 'Zmiany pozycji senatu', pp. 234–36.

referred to the royal council of old, but also to the tasks of the resident senators. Among them a special part was played by Senate councils, which during the Saxon era gathered after the Sejm debates ended, either summoned by the king or as *senatus consultum* composed of senators staying at the side of the monarch.[76] In the face of the paralysis of the Sejm senatorial councils became "the sole institution provided for by the law, which resolved the most important state affairs according to the collegial procedure".[77] Nonetheless, at the time of Augustus III barely 7.8 per cent senators took part in the work of the councils.[78] This phenomenon is understandable in the face of the transference of political life to the provinces and increasingly less interest in either rivalry for influence at the side of the king or for conducting reforms.[79]

VI. The Stanisław Augustus era

The renascence of the significance of the Sejm did not take place until 1764, when after the victory won by the Czartoryski 'Familia' political faction it became possible to implement some of the indispensable reforms.[80] Amongst them the establishment of treasury and army commissions, which were to limit the power wielded by ministers, was especially essential. The fact that successive Sejm sittings were to be held under the rules of a confederation was of particular significance for the role played by the senators because it denoted debates conducted in joint chambers and the equalisation of the rights of the parliamentarians.[81]

Further changes, effected in 1767 under direct pressure exerted by the Russian ambassador Nikolay Repnin, were carried out by a Sejm delegation, whose reforms

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[76] M. Markiewicz, 'Senat jako organ władzy wykonawczej w epoce saskiej', in K. Matwijowski, J. Pietrzak (eds), *Senat w Polsce. Dzieje i teraźniejszość. Sesja Naukowa, Kraków 25 i 26 maja 1993* (Kancelaria Senatu RP, Warszawa, 1993), pp. 136–47; *id.*, *Rady senatorskie*, pp. 9–13, 19; J. Poraziński, 'Rady senatu za Augusta III', *Zeszyty Naukowe Uniwersytetu Jagiellońskiego. Prace Historyczne*, 614, no. 77 (1985), 69–89.

[77] J. Staszewski, 'Reformowanie Rzeczypospolitej przed Sejmem Wielkim', in A. Grześkowiak-Krwawicz (ed.), *Konstytucja 3 Maja. Prawo – polityka – symbol. Materiały z sesji Polskiego Towarzystwa Historycznego na Zamku Królewskim w Warszawie 6–7 maja 1791* (Polskie Towarzystwo Historyczne, Warszawa, 1992), p. 13.

[78] Markiewicz, *Rady senatorskie*, p. 81; *id.*, 'Senat jako organ', pp. 137, 145.

[79] J. Gierowski, *Między saskim absolutyzmem a złotą wolnością. Z dziejów wewnętrznych Rzeczypospolitej w latach 1712–1713* (Ossolineum, Wrocław, 1953), pp. 99–100; A. Wyczański, *Polska – rzeczą pospolitą szlachecką 1454–1764* (Państwowe Wydawnictwo Naukowe, Warszawa, 1965), pp. 340, 373.

[80] W. Kisielewski, *Reforma książąt Czartoryskich na sejmie konwokacyjnym 1764 r.* (Sambor, 1880), p. 225. Owing to the necessity of winning the support of the nobility they were compelled to resign from seeking the support of the 'ruling oligarchy'; J. Michalski, 'Plan Czartoryskich naprawy Rzeczypospolitej', *Kwartalnik Historyczny*, vol. 63, no. 4–5 (1956), 29–43; H. Olszewski, *Doktryny prawno-ustrojowe czasów saskich (1697–1740)* (Państwowe Wydawnictwo Naukowe, Warszawa, 1961), p. 266. Due to the stand taken by Russia they also did not attempt to convey to the senators the decision concerning the recognition of the legitimacy of *liberum veto*; Michalski, 'Sejm w czasach panowania Stanisława Augusta', p. 301.

[81] Kriegseisen, *Sejm Rzeczypospolitej*, pp. 257–58.

were formally confirmed by the Sejm of 1768.[82] The delegation approved the new Order of the Sejm Debates (*Porządek sejmowania*), which maintained the existing tasks of the senators: presenting a report on Senate councils, sitting in a constitutional deputation, and controlling, parallel with the Chamber of Deputies, voting on projects of laws as well as their confirmation during the last phase of the Sejm in combined chambers. Order of the Sejm Debates retained also the full range of the above-described duties of the grand marshal and the chancellor. Changes included the introduction of uniform voting (although in separate chambers), granting senators the right to legislative initiative, and the abolition of the duty to present *wota*, which reduced the number of speakers.[83]

A similar delegation was designated at the partition Sejm of 1773–75, debating under Marshal Adam Poniński.[84] Ultimately, it was composed of 103 delegates (and two marshals of the confederation), including only 20 (19 per cent) senators and ministers.[85] Their position was additionally weakened by the decidedly republican rhetoric of Marshal Poniński.[86] Ultimately, however, by endeavouring to restrict the position of the king, Poniński supported the establishment of a Permanent Council, drawing on former Senate councils. The Council was to constitute a central organ of the executive and, at the same time, an extension of the Sejm owing to its composition, i.e. 18 counsellors from the knight estate and 18 from among the senators (three bishops, nine laymen, four ministers, and two elected from among all secular senators).[87] The function of a counsellor was connected with steady remuneration (from 1776 it amounted to 10,000 zlotys), which for poorer candidates constituted an incitement to apply to be elected.[88] The establishment of the Permanent Council enhanced the position held by the senators, who gained influence upon the executive authorities, especially within the range of their control by Sejm deputations, and from 1776 – upon the functioning of the judiciary by issuing resolutions with a statutory interpretation.[89] The Council also became

[82] Among the 70 persons creating it there were initially only 14 (20 per cent) senators; VL, vol. 7, pp. 246–48; Kutrzeba, *Sejm walny*, p. 168.

[83] VL, vol. 7, pp. 288–92; Kutrzeba, *Sejm walny*, p. 164; Michalski, 'Sejm w czasach panowania Stanisława Augusta', p. 367. Only ten senators voted at the Sejm in Grodno. Stroynowski, *Obrady sejmu grodzieńskiego*, pp. 79–81.

[84] VL, vol. 8, pp. 7–9; R. Łaszewski, 'Delegacja jako instrument ratyfikacji I i II rozbioru Polski', *Czasopismo Prawno-Historyczne*, vol. 23, no. 2 (1971), 87–102; J. Michalski, 'Rejtan i dylematy Polaków w dobie pierwszego rozbioru', in *id.*, *Studia historyczne z XVIII i XIX wieku*, vol. 1 (Stentor, Warszawa, 2007), pp. 160–201; A. Stroynowski, 'Adam Poniński – marszałek sejmu 1773–1775', *Prace Naukowe Akademii im. Jana Długosza w Częstochowie. Zeszyty Historyczne*, vol. 15 (2016), 133–54.

[85] VL, vol. 8, pp. 5–7; Michalski, 'Sejm w czasach panowania Stanisława Augusta', p. 370.

[86] A. Stroynowski, 'Adam Poniński w obradach delegacji sejmu 1773–1775', *Prace Naukowe Akademii im. Jana Długosza w Częstochowie. Zeszyty Historyczne*, vol. 17 (2018), 59–84.

[87] One-third of members were to be replaced at each Sejm. VL, vol. 8, pp. 66–78; A. Zahorski, *Stanisław August polityk* (KiW, Warszawa, 1959), p. 126; Mikulski, 'Senat I Rzeczypospolitej', p. 20.

[88] *Pamiętniki Józefa Kossakowskiego biskupa inflanckiego 1738–1788*, ed. A. Darowski (Księgarnia Gebethnera i Wolffa, Warszawa, 1891), p. 149.

[89] VL, vol. 8, pp. 532–35; W. Uruszczak, *Historia państwa i prawa polskiego*, vol. 1 (Oficyna Wolters Kluwer, Warszawa, 2013), p. 235.

the foundation of royal-ambassadorial rule, and this is the principal reason why it was negatively assessed by society.[90]

The position of the senators at ordinary Sejm sessions held in 1778–86 changed as a result of the above reforms. For the first time, by sitting in the Permanent Council, the senators gained such strong influence on the functioning of the judiciary and the executive. Moreover, traditionally, they were to prepare, together with the king, projects of laws for every Sejm. Their prime interest, however, focused on undertakings at the sejmiks, thus disclosing their position in the nobility provinces, where upon occasions they brutally implemented the premises of the policy pursued by the royal-ambassadorial faction.[91] This gave rise to resistance on the part of the nobility, whose representatives noticed that the magnates, abusing republican slogans, exploited them (the nobility) for the realisation of their plans.

At the time of the Four-Year Sejm this situation undermined the position of the senators.[92] It became possible for the nobility to realise their attempts due to confederating the Four-Year Sejm and conducting debates in joined chambers, in which everyone enjoyed identical rights. As a result, and despite an almost unanimous opposition against radical reforms, the senators were unable to defend the Army Department (3 November 1788) or the Permanent Council (19 January 1789),[93] which was tantamount to the end of royal-ambassadorial rule. Defeats in successive votes and the hostile attitude of the deputies caused the withdrawal of numerous senators from further debates.[94] Simultaneously, some of the senators supported the actions of the Puławy faction led by Ignacy Potocki, Court Marshal of Lithuania, who managed to endow the Sejm with the characteristics of

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[90] W. Filipczak, 'Opozycja antykrólewska wobec systemu rządów Rady Nieustającej na sejmie 1786 roku', *Acta Universitatis Lodziensis. Folia Historica*, no. 38 (1990), 18.

[91] "This opinion about a ruthless politician from the royal camp was expressed predominantly about A. Tyzenhauz, although other politicians from this circle also happened to break the law. Such an accusation could be made against Adam Chmara, Voivode of Minsk, who neglected to propose the requisite number of candidates to be elected, Jan Zyberek, Voivode of Brest-Litovsk [Brześć Litewski], who chose absent persons or deputies against the will of those attending the sejmik, Antoni Przeździecki, who thought only of himself, or Tadeusz Żaba, Voivode of Połock, who resorted to 'armed men' to fill sejmiks and ordered his opponents to be 'beaten with butts and cast aside'". D. Rolnik, 'Dylematy posłów czasów stanisławowskich – między realiami politycznymi a ideami wolności szlacheckich', in Stroynowski (ed.), *Kultura parlamentarna*, p. 386.

[92] W. Szczygielski, 'Ze studiów nad postawami politycznymi posłów drugiej kadencji Sejmu Wielkiego w początkach 1791 roku', in M. Mikołajczyk (ed.), *O prawie i jego dziejach księgi dwie. Studia ofiarowane Profesorowi Adamowi Lityńskiemu* (Wydawnictwo Uniwersytetu w Białymstoku, Białystok–Katowice, 2010), pp. 542–43.

[93] In voting on 3 November 1788 – a breakthrough for the further fate of the Sejm – as many as 70 out of 89 voting senators spoke in favour of the Army Department, while 95 out of 165 deputies supported its dismantling, *Dyaryusz Sejmu Ordynaryjnego*, vol. 1, part 1, p. 323.

[94] Castellan Chryzanty Opacki and the king's nephew, Treasurer Stanisław Poniatowski, experienced the failure in the discussion and the mockery of deputies and arbiters as particularly painful, H. Wereszycka, 'Opacki Chryzanty', in *Polski Słownik Biograficzny*, vol. 24 (1979), 68–70; J. Michalski, 'Poniatowski Stanisław', in *Polski Słownik Biograficzny*, vol. 27 (1982), 481–87.

governance and permanence, a change announced already in the 'Prorogation' Act.[95] This policy was associated with a resolve to limit the number of senators entitled to vote, a reference to the proposal made by Stanisław Staszic, i.e. "to increase the number of deputies so that the Senate would represent a fourth part of the Nation. This will be easily achieved once the number of present-day deputies is increased twice".[96] Particularly vehement attacks launched by the republican part of the Chamber of Deputies took place on 18 December 1788, when deputies Tadeusz Matuszewicz and Stanisław Kostka Potocki recommended that senators elected to the governing commissions should suspend their parliamentary activity. Potocki justified this suggestion by mentioning the disproportionate decrease of the number of deputies as a consequence of the first partition as well as the fact that the senators exceeded the role of the royal council ascribed to them.[97] Some senators, i.a. Voivode Adam Chmara, were willing to agree with this postulate, although in the future.[98]

Soon, however, they were able to effectively adjourn the implementation of Principles for Improving the Form of Government (*Zasady do poprawy formy rządu*) prepared by Ignacy Potocki (formally by the Deputation for the Arrangement of Projects on the Form of the Government, under the supervision of Bishop Adam Krasiński), presented to members of Parliament in session on 17 December 1789. The proposals were to result in handing over all legislative power to the Chamber of Deputies, a procedure accompanied by abandoning the concept of 'three parliamentary estates'.[99] The senators, by agreement with the king, also managed to bring about a rejection of the even more republican Draft Bill for the Form of Government (*Projekt do formy rządu*) of 2 August 1790, in which Potocki provided for elections of ministers by the Sejm, and of senators – by the sejmiks. He also wished to limit the rights of the Senate to the suspensive veto**,** thus handing over almost all legislative power to the sejmiks, whose instructions were to decide about the acceptance of new laws. Furthermore, the project also contained a proposal of introducing the duty of participating in Sejm debates.[100]

[95] VL, vol. 9, p. 57; W. Szczygielski, 'Sejm nieustający. Batalia parlamentarna o jego urzeczywistnienie i rola w życiu politycznym Rzeczypospolitej u schyłku XVIII wieku', *Przegląd Nauk Historycznych*, vol. 1, no. 1 (2002), 33–70; *id.*, 'Wkład Puławian w obrady Sejmu Wielkiego (1788–1792)', *Przegląd Nauk Historycznych*, vol. 4, no. 1(7) (2005), 51–74.

[96] S. Staszic, *Uwagi nad życiem Jana Zamoyskiego*, ed. S. Czarnowski (Ossolineum, Wrocław, 1952), p. 209.

[97] *Dyaryusz Sejmu Ordynaryjnego*, vol. 1, part 2, pp. 507–08. *Cf.* A. Grześkowiak-Krwawicz, *O formę rządu czy rząd dusz? Publicystyka polityczna Sejmu Czteroletniego* (IBL PAN, Warszawa, 2000), p. 103.

[98] *Dyaryusz Sejmu Ordynaryjnego*, vol. 1, part 2**,** p. 550 (session on 22 December). The senators started to agree to such concessions under the impact of experiences from the commencement of the Sejm, on 24 October 1788 summed up bitterly by the Castellan of Wizna Chryzanty Opacki: "The unanimity of the Senate is worthy of praise and not of laughter, because what could be established in a free nation without it?". *Dyaryusz Sejmu Ordynaryjnego*, vol. 1, part 1, p. 121.

[99] Michalski, 'Sejm w czasach panowania Stanisława Augusta', p. 398.

[100] [I. Potocki], *Projekt do formy rządu*, part: *Prawa Konstytucyjne*, art. XVIII; part: *Sejmy*, art. V [Warszawa, 1790]; E. Rostworowski, '„Marzenie dobrego obywatela", czyli królewski projekt Konstytucji', in *id.*, *Legendy i fakty XVIII w.* (Państwowe Wydawnictwo Naukowe, Warszawa, 1963), pp. 265–469;

The rejection of *Projekt do formy rządu* inclined Ignacy Potocki to seek an understanding with the king,[101] which resulted in preparing a programme of further reforms to be introduced in stages, starting with reforming the sejmiks. These measures included changes in the stand represented by the majority of the senators, who remained in Warsaw and began to support the reforms. This state of things became disclosed already in the course of voting on the acceptance of the law on sejmiks, which eliminated from active participation in political life the nobility without land property (the so-called 'naked nobility', Polish: *gołota*), hitherto constituting the basis of the influence exerted by magnates upon the sejmiks. Open voting held on 24 March 1791 (the winners were the adherents of the reform: 13 votes against 39) was attended by 29 senators, of whom only two (Bishop Kasper Cieciszowski and Castellan Wojciech Suchodolski) opposed the adoption of the law.[102]

The change of the position of the senators was to be determined by the 3 May Constitution, approved by acclamation.[103] The Constitution introduced a departure from the three-estate Sejm, which was to be henceforth composed of the Chamber of Deputies and the Senate under the presidency of the king and with their rights limited – only in the case of the most important issues – to a suspensive veto valid until the next Sejm. An essential novelty was the legal liability of ministers and senators, who were now forbidden to participate in votes assessing their office (Article VI).[104] These general constitutional entries were expanded by the Sejm law passed on 12 and 14 May 1791.[105] The law in question established the future composition of the Sejm, which was to consist of 204 deputies and 132 senators, and thus radically changed the existing proportions. At the same time, the right of the king to choose one of two candidates for senators, presented at the sejmiks, was limited. Senators were now also covered by regulations excluding from debates persons who had been sentenced in *absentia*. All senators aged over 60 were exempted from the duty of participating in Sejm debates. The most important, however, was the decisive restriction of the influence of the senators on adopted

id., *Ostatni król Rzeczypospolitej. Geneza i upadek Konstytucji 3 maja* (Wiedza Powszechna, Warszawa, 1966), p. 239; Z. Zielińska, 'Potocki Roman Ignacy Franciszek', in *Polski Słownik Biograficzny*, vol. 28 (1984), 7; A. Stroynowski, *Opozycja sejmowa w dobie rządów Rady Nieustającej. Studium z dziejów kultury politycznej* (WSSM, Łódź, 2005), p. 224; W. Szczygielski, *Sejm Wielki (1788–1792). Studium z dziejów łagodnej rewolucj* (ŁTN, Łódź, 2015).

[101] B. Leśnodorski, *Konstytucja 3 maja jako dokument oświecenia* (Spółdzielnia Wydawnicza „Czytelnik", Warszawa, 1946), pp. 7, 24–25.

[102] It was accepted by six bishops, three voivodes, fifteen castellans, and three ministers. Szczygielski, 'O nową ustawę sejmikową', pp. 496–97, 501.

[103] Only a single senator and 26 deputies signed manifestos against its acceptance. Michalski, 'Sejm w czasach panowania Stanisława Augusta', p. 407.

[104] *Konstytucja 3 Maja 1791. Statut Zgromadzenia Przyjaciół Konstytucji*, ed. J. Kowecki, foreword B. Leśnodorski (3rd edn, Państwowe Wydawnictwo Naukowe, Warszawa, 1983), pp. 86–87; Michalski, 'Sejm w czasach panowania Stanisława Augusta', pp. 409–12.

[105] VL, vol. 9, pp. 250–66 (record 31 May 1791). On the meaning of those supplementary acts W. Uruszczak, 'Ustawy okołokonstytucyjne Sejmu Wielkiego z 1791 i 1792 roku', *Krakowskie Studia z Historii Państwa i Prawa*, vol. 6, no. 3 (2013), 247–58.

laws by depriving them of the right to legislative initiative and, for all practical purposes, of the opportunity to speak about proposed projects and participate in current discussions, leaving only the possibility of applying (with a two-thirds majority) the suspensive veto. This signified a practical loss by the senators of all impact upon the shape of laws, with the exception of influencing deputies in the course of provincial sessions convoked in intervals between plenary debates of the Sejm.[106]

A further restriction of the role played by the senators took place during the last Sejm held in Grodno in 1793, partly due to a radical limitation of the number of senators by removing all those whose offices were connected with lands lost as a result of the second partition. Moreover, only some of the entitled senators appeared in Grodno, not wishing to endorse the partition treaties. Since the Sejm assembled *sub vinculo* of the Targowica confederation, its debates were held in a single chamber.[107] The accepted resolutions did not, for all practical purposes, alter the position of the senators in comparison with the state of things in 1791. The most conspicuous change in the accepted order of the Sejm debates was supposed to consist only of joint debates of both chambers and a reduction of the number of deputies (to 108) and senators (to 55).[108] The Sejm also restored the principle of devoting the last three days to rereading all laws, which, however, by no means denoted a return to the former manner of concluding the debates.[109]

VII. Summary

The role played by the senators in the functioning of the Sejm of the Commonwealth continued to change but, at the same time, throughout this entire period the invariance of fundamental principles, i.a. the bicameral Sejm and lifelong offices, was retained.[110] It must be indicated that the duties of the chancellors and marshals as well as their impact upon the order and success of the debates were not modified. Constant duties were also

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[106] Their reactivation took place owing to efforts of the opposition. W. Szczygielski, 'Rola sesji prowincjonalnych w początkach obrad Sejmu Wielkiego', in J. Daszyńska (ed.), *Konstytucja Stanów Zjednoczonych Ameryki – reminiscencje w 220 rocznicę uchwalenia, 1787–2007* (UŁ, Łódź, 2009), 159–82; Stroynowski, *Opozycja sejmowa*, pp. 287, 307–08; *id.*, 'Kultura obrad sejmu', pp. 16–34.

[107] The Sejm was attended by 134 deputies and 17 senators, who constituted 11.3 per cent of those present. J. Wąsicki, *Konfederacja targowicka i ostatni sejm z 1793 roku* (Poznańskie Towarzystwo Przyjaciół Nauk, Poznań, 1952); H. Olszewski, 'Porządek sejmowania w Grodnie w 1793 roku', in Iwanicka, Skowronek, Stembrowicz (eds), *Parlament, prawo, ludzie*, pp. 182–90; Michalski, 'Sejm w czasach panowania Stanisława Augusta', pp. 415–16.

[108] VL, vol. 10, pp. 136, 139, 148–49; Michalski, 'Sejm w czasach panowania Stanisława Augusta', p. 415.

[109] The Permanent Council, which included 10 senators among its 24 councillors, was also reactivated; VL, vol. 10, pp. 144, 153.

[110] The only departure was that from the concept of three parliamentary estates in the Sejm. Uruszczak, *Historia państwa i prawa polskiego*, vol. 1, pp. 194–216; *id.*, 'Zasady ustrojowe Rzeczypospolitej Obojga Narodów', *Czasopismo Prawno-Historyczne*, vol. 60, no. 2 (2008), 125–56.

assigned to ministers, in particular treasurers obligated to submit accounts to the Sejm. Equally invariable were the tasks of the resident senators or those appointed to Sejm deputations. All the way to the first partition Sejm the role of Senate councils continued to grow; they attained their zenith during the Saxon period and later their functions were to a certain degree taken over by the Permanent Council, with the senators constituting half of its members. The establishment of the Council was connected with the fact that the senators assumed responsibility for the activity of the executive and the judiciary.

The realisation of those tasks, however, involved only certain senators because the majority – sometimes as much as 70 per cent – declined to participate in the Sejm debates and an even a larger number arrived late so as not to take part in senatorial *wota*. Particularly high absenteeism occurred among castellans (especially minor ones) while the greatest attendance, 70–80 per cent, was that of bishops and voivodes, although with time their involvement waned and during the reign of Stanisław Augustus dropped to 42 per cent among bishops and 26 per cent among voivodes.[111] Increasingly low attendance among the senators was influenced by their growing concentration on conducting sejmik campaigns, partly as a result of royal recommendations. This process was connected with declining interest in wider politics, expressed also in rare participation in senatorial councils even during the Saxon epoch – the zenith of their importance.

Undoubtedly, the senators attained their strongest position – taking into consideration their supremacy over the Chamber of Deputies – during the initial period of the functioning of the Polish Sejm, when they overshadowed the Chamber thanks to a larger number of participants in the debates and benefited from the support of the king, who based his governance on them. This ascendancy of the senators in the Sejm ended in 1569 after the signing of the Union of Lublin, when the number of deputies, who also acted under the persuasive slogans of the Executionist Movement, grew decidedly. Nonetheless, the king and the Senate still had the decisive voice during the conclusion of the debates and the writing down of the ultimate version of the adopted laws.[112] Together with the growing crisis of the Sejm, whose debates increasingly often ended in the Chamber of Deputies without adopting resolutions and joining the Senate, the role of the senators also diminished,[113] although simultaneously the magnates present among them reached the zenith of their rank in the state. The reconstruction of the position of the Sejm and the role played by the senators did not take place until the reign of Stanisław Augustus

[111] Stroynowski, *Obrady sejmu grodzieńskiego*, pp. 145–49. Bishops, however, still remained a group of most active senators. E. Ziółek, *Biskupi senatorowie wobec reform Sejmu Czteroletniego* (TN KUL, Lublin, 2002); A. Stroynowski, 'Rola biskupów w obradach sejmów lat 1778–1786', in L. Harc, G. Wąs (eds), 'Religia i polityka. Kwestie wyznaniowe i polityczne w Europie w XVIII wieku. W 300. rocznicę konwencji w Altranstädt', *Acta Universitatis Wratislaviensis. Historia*, no. 178 (Wrocław, 2009), 437–51.

[112] T. Kucharski, 'Konkluzja sejmu konwokacyjnego 1733 roku. Przyczynek do refleksji nad kryzysem staropolskiej demokracji deliberacyjnej', *Przegląd Sejmowy*, no. 4(153) (2019), 27–48.

[113] In this situation the tasks of the Sejm were taken over by the Senate councils. Markiewicz, 'Senat jako organ', p. 145.

and was expressed in the enlargement of the composition of the Senate with a simultaneous (from the time of the first partition) reduction of the number of deputies. Moreover, the senators were additionally assigned a special role in the Permanent Council as well as in control deputations, thus gaining impact on executive and judiciary authorities. The position of the castellans grew exceptionally strong – they became the support of royal-ambassadorial rule,[114] which met with the displeasure of the nobility. This process affected the position of the senators at the time of the Four-Year Sejm, when they were unable to defend the governance of the Permanent Council and a considerable number of them left Warsaw. As a result, the 3 May Constitution radically limited the number of senators and deprived them of influence upon the shape of laws, for which the suspensive veto could not compensate. This trend of reforms was continued by the Sejm held in Grodno in 1793 and attended by seventeen senators.[115] The decisions made by both Sejms, however, did not enter into force, but merely indicated a change in the assessment, made by the society of the Commonwealth, of the role performed by the senators, which distinctly departed from the sixteenth-century treatment of the senators as a close-knit elite and protection against the threat of royal absolutism, still mentioned at the beginning of the reign of Stanisław Augustus. The decisions made at the last two Sejms, apart from their tragic external determinants, expressed the striving of the nobility towards a *sui generis* democratisation of the state and an assumption of full power by the deputies representing it.

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[114] W. Szczygielski, 'Polskie formacje oświeceniowe czasów stanisławowskich', *Acta Universitatis Lodziensis. Folia Historicam*, Series I, no. 4 (1976), 73–77.

[115] List of senators, *Dyaryusz seymu 1793 roku w Grodnie agitującego się*, ed. J. Wisłocki (Kórnik, 1998), <http://www.bkpan.poznan.pl/projekty-zakonczone/ELITY/SEJM1793/wstep.htm>, accessed: 1 September 2021.

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