



SENAT RP

NOTES ON THE SENATE

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OF THE REPUBLIC
OF POLAND**

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History of the Polish Senate

In the old days the Polish Sejm consisted of three Sejm estates: the King, the Senate and the chamber of Deputies. This was the case in 1493, which was the beginning of long list of Polish Senate authorities.

The old Senate did not include the separate post of the Senate Marshal. The Senate's sessions were presided over by the King, represented by the great royal marshal who was the prime minister of the Kingdom. The grand crown marshal, on behalf of the King, presided over the sessions of joint Chambers of the Sejm, i.e. the Senate and the Chamber of Deputies. When grand crown marshal was absent, the sessions were presided over by the court crown marshal. The two marshals sat on the Senate and, like other senators, enjoyed life-long 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. He presided over the Senate's sessions during the King's absence. The Primate had a right to convene the Senate to a "secret" council even against the King's will. During the interregnum the Primate was the interrex, i.e. the acting King, and he could convene the Sejm. In old Poland the Senate existed up to 1794, i.e. to the Kościuszko insurrection. In 1795 the third partition of Poland took place, ending this chapter of the Senate's history.

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 the newly re-established Poland after the First World War, the March Constitution of 1921 determined that the Senate would be presided over by its Marshal and Deputy Marshals elected by senators from among their ranks for the Senate's term of office. The same rule was followed under the April Constitution of 1935, and in the Senate after its re-establishment in 1989.



King Aleksander Jagiellończyk in the Diet (Kraków 1506 r.)

(Fot. M. Glinicki. Archives of the Sejm Publishing Office)

- circa 1350** The Privy Council, forerunner of the Senate, is formed. Its members are 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.
- 1382** Beginning of the general assemblies of the whole kingdom, i.e. of the Privy Council together with district officials, landed gentry and representatives of chapters and cities. They meet to elect a King and to approve taxes. The Sejm grew out of these assemblies.
- 1453** First mention of proceedings at the general assembly in two chambers: the Lords of the Council (Senate) and district deputies. Appointment to the king of four permanent members- resident of the Privy Council.
- circa 1450** The tradition of convening the full Privy Council outside of general assemblies (Sejm) ceases. The king goes into council with some Senators only.
- 1493** Formation of the Sejm as a national body, passing laws with the agreement of three agents: the king, the Senate and the Chamber of Deputies.
- 1501** In Mielnik, King Alexander I is forced by senators to grant them supreme authority in affairs of state, but after his coronation, he refuses to affirm this privilege.
- 1505** The Nihil Novi Constitution gives equal rights to the Senate and the Chamber of Deputies to make laws.
- 1510** The Sejm decrees that an affront to a senator is the equivalent of lese-majeste.
- 1529** Mazovia became to be part of the Kingdom of Poland and Mazovian senators belong to the Senate.
- First half of the 16th century** The permanent formation of the Senate. It is composed of Roman Catholic diocesan bishops, provincial governors, lesser and greater castellans, ministers (grand chamberlain, chancellor, deputy chancellors, grand treasurer and court Marshal), appointed for life by the king. The order of precedence of seats in the Senate is laid down; the Primate is first senator of the kingdom; the Cracow castellan is the first lay senator; the grand chamberlain is 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, in the person of the grand chamberlain and in the king's absence, by the Primate. Senators vote, i.e. express their opinion, and the king sums up.
- 1537** The leaders of the Executive Movement put forward the concept of the Senate as guardian of landowners' rights and freedoms, a concept contradictory to that of King Zygmunt I, who saw the Senate as an advisory body, the mainstay of royal rule.
- 1562–1569** The Senate's position weakens in favour of the Chamber of Deputies.
- 1569** Inclusion in the Senate of senators from the Kingdom of Prussia, which had kept its autonomy since 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 comprises 142 senators, 15 bishops, 35 provincial governors, 31 greater castellans, 47 lesser castellans and 14 ministers.
- 1572–1573** The role of the Senate in the interregnum takes shape: the Primate, as interrex, deputies for the king. During the electoral assembly, the Senate holds separate debates, but senators vote together with landowners from their provinces. The Primate nominates the new king and the royal grand chamberlain announces his election.
- 1573** New Articles (Artykuły Henrykowskie) affirm and confer new rights on the Senate. The king must not conduct any affairs of the Republic without the Senate, in particular receive and despatch foreign envoys, levy an army, convoke the Sejm or enter into marriage. The king must have four senators in constant attendance to advise him and oversee government.
- 1576** The Senate is authorized to reprimand the King, when he breaks the law.
- 1588** Senators from the Inflant enter the Senate.
- First half of the 17th century** The Senate's importance grows under King Zygmunt III and King Władysław IV. The tradition of summoning senators to convocations other than the Sejm is revived. The king bases his government on the so-called Little Senate, a group of trusted senators.

- 1607** Implementation of the hitherto unrespected rights of senators resident: their resolutions 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 Czernihów Province in trans-Dnieper Ukraine.
- Second half of the 17th century** The Senate's importance lessens as a result of rivalry between the magnates.
- 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 (*sisto activitatem*).
- 1717** The king is obliged to implement the resolutions of the senators-resident.
- 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 commanders and field commanders [*hetmani*] of the army enter the Senate.
- 1773** Beginning of the Confederate Sejms, during which the Senate and the Sejm hold joint debates.
- 1775** Abolition of the king's senators-resident, who are replaced by the Permanent Council, which is composed of both senators and Sejm deputies and headed by the king.
- 1790** The Uniate Metropolitan of Kiev enters the Senate.
- 1791** The Third of May Constitution curtails the Senate's importance in favour of the Chamber of Deputies. The king is demoted from a separate parliamentary estate to president of the Senate. The Senate loses the right to initiate legislation, retaining only the right of veto to suspend political, civil and penal laws passed by the Sejm deputies. On other matters, the votes of the Senate and the Chamber of Deputies are counted together. King Stanisław August's successors are to appoint senators from among candidates selected by the Regional Councils (*Sejmiki*).
- 1793** The Sejm in Grodno annuls the Third of May Constitution 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 a Sejm to be convened after the victorious uprising, "to proclaim a national Constitution".
- 1807–1815** The Senate of the Duchy of Warsaw: a second chamber of the Sejm, subordinate to the Chamber of Deputies and composed of bishops, provincial governors and castellans, is presided over by a president appointed by the monarch, or by the monarch himself.
- 1815–1831** The Senate of the Congress Kingdom of Poland: one of the three Sejm estates, on an equal footing with the Chamber of Deputies, it is composed of bishops, provincial governors, castellans and princes of the imperial blood. It is presided over by a president of the Senate appointed by the king.
- 1921** The March Constitution revives the Senate as the second "national body in the field of legislation" alongside the Sejm, but with limited powers, with the right of veto to delay Bills passed by the Sejm, the right to demand written answers from the government and to elect a state president in conjunction with the Sejm (National Assembly). The Senate consists of 111 senators elected for provincial constituencies. Its term is five years, and it is headed by a Senate Marshal.
- 1922–1927** Senate of the First Term. Its Marshal is Wojciech Trąpczyński, a lawyer, Marshal of the Constituent Sejm.
- 1926** Failed attempt by the Senate to take advantage of the August amendments to the Constitution to consolidate its powers, i.e. by achieving the right to initiate legislation.
- 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. The Senate and Sejm take only an indirect part in the election of a president.

1935–1938 Senate of the Fourth Term. Its Marshal is Colonel Aleksander Prystor.

1938–1939 Senate of the Fifth Term. Its Marshal is Lieutenant Bogusław Miedziński.

1939 The president of the Republic of Poland dissolves the Sejm and the Senate on 2nd November, and on 1st December orders elections to both chambers to be held 60 days after the end of the war.

1946 The communist authorities in Poland announce the abolition of the Senate on the basis of the falsified 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 in post-war Poland, are held on 4th June. Citizens of 18 years and upwards can vote; candidates must be over 21 years of age. Professor Andrzej Stelmachowski is elected Marshal at the first sitting of the Senate on 4th July. There are 100 senators. Under the Constitution, the Senate was to have had a four-year term. 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 are held on 27th October. At the first sitting on 26th 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 are held on 19th September. At the first sitting on 15th October, Adam Struzik is elected Marshal.

1997 Elections to the Senate of the Fourth Term are held on 21st September. At the first sitting on 21th October, Alicja Grześkowiak is elected Marshal.

2001 Elections to the Senate of the Fifth Term are held on 23th September. At the first sitting on 20th October, Longin Pastusiak is elected Marshal.

2005 Elections to the Senate of the Sixth Term are held on 25th September. At the first sitting on 20th 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 are held on 21st October. At the first sitting on 5th November, Bogdan Borusewicz is elected Marshal.

*Jerzy Pietrzak, October 1997
with later amendment, November 2007*