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THE INSTITUTION OF COUNCIL OF THE SENATE IN THE POLITICAL SYSTEM OF THE POLISH-LITHUANIAN COMMONWEALTH UNDER THE RULE OF LADISLAUS IV VASA (1632-48)

Abstract

Established under the Henrician Articles of 1573, the institution of Council of the Senate was supposed to be a standing advisory body to the rulers of the Polish-Lithuanian Commonwealth. Over the first few decades of its existence, the monarchs did not respect the obligation to appoint resident senators as the Council's members. This changed only in 1607, as a result of a conflict between the king and the estates and the Rebellion of Sandomierz – the events that mobilised the nobility to enforce the monarch to observe the law in this respect. Since the beginning of his reign, Ladislaus IV Vasa fairly readily convened meetings of the Council, at which its members expressed their opinions on the current problems. The deliberations were usually about the state's foreign policy, the functioning and internal security of the state, the affairs of war and peace, the military and the treasury, the king's or the royal family's private affairs, the Commonwealth's feoffs, and matters related to private affairs of members of the power elite. Resulting from the monarch's actions that did not win popularity in the nobility-dominated society, the Chamber of Deputies started with time perceive the Council as an institution detrimental to the state's interest. The Chamber consequently extort from the king and the senators the duty to read out the reports on the *senatus consilia* at the diet (*sejm*) forum. Consequently, the upper chamber's position was weakened and the Council of the Senate politicised – a process that directly affected Poland-Lithuania's political system, vastly contributing to its degeneration.

Keywords: the Senate of the Polish-Lithuanian Commonwealth in the seventeenth century, Council of the Senate, Sigismund III Vasa, Ladislaus IV, Polish nobility in the seventeenth century, Adam Kazanowski

I CURRENT STATE OF RESEARCH

The functioning of the Senate of the Polish-Lithuanian Commonwealth in the modern area enjoys incessant interest among historians, who focus on a number of issues – including the Senate’s competencies and influence on the state’s policy, its relations with the king and the nobility, and matters related to individual members of this body.¹ One of the interesting questions related to the diet’s (*Sejm*’s) upper chamber is the functioning of the Council of the Senate, an institution that was rooted in the medieval Royal Council, whose activity was legally formalised under the Henrician Articles of 1573.

The Council sessions during the reign of Ladislaus IV have hitherto been broadly discussed by Władysław Czapliński, in an article on the upper chamber at that time.² In his analysis of the Council sessions under the reign of Sigismund III’s son, this scholar focused on the institution’s attitude towards the diet and the circumstances of forcing the king and the upper chamber to adopt a constitution rendering obligatory the presentation of the minutes of *senatus consilium* sessions to the deputies. Czapliński also zooms in on the agenda of the sessions and the institution’s competencies. Andrzej Korytko, another scholar to have addressed these issues, presents the results of his research in his studies on the Senate in the years 1632–48.³ Among these issues was Ladislaus IV’s activity during the conferences with members of the upper chamber and the monarch’s attitude toward the conclusions adopted. Some information on this topic can also be found in publications of other historians, which analyse aspects of Poland-Lithuania’s parliamentarism.⁴ These studies, moreover, refer to the frequency of the Council’s sessions and the topic discussed at them; these threads should be complemented with a few remarks. It is pretty important to

¹ Andrzej Korytko, ‘Senat Rzeczypospolitej XVI–XVII w. Stan badań i postulaty badawcze’, *Teki Sejmowe*, i (2010), 64–79.

² Władysław Czapliński, ‘Senat za Władysława IV’, in *Studia historyczne ku czci Stanisława Kutrzeby*, i (Kraków, 1938), 81–104.

³ Andrzej Korytko, ‘Kilka uwag o radach senatu za Władysława IV Wazy’, *Echa Przeszłości*, xiii (2012), 97–105; *id.*, ‘Na których opiera się Rzeczpospolita’. *Senatorowie koronni za Władysława IV Wazy* (Olsztyn, 2015), 247–70.

⁴ Urszula Augustyniak, *Wazowie i “królowie rodacy”*. *Studium władzy królewskiej w Rzeczypospolitej XVII wieku* (Warszawa, 1999), 193–5; Maria Olha Pryshlak, *Państwo w filozofii politycznej Łukasza Opalińskiego* (Kraków, 2000), 28–38.

clarify this issue as the number of meetings and the topics debated on by members of the upper chamber enable one to consider the king's attitude to the Council of the Senate sessions. Conclusions can also be drawn through more intense focus on the activity of the monarch's closest associates in the course of the *senatus consilia*. Lastly, by analysing the role of the Council's sessions in the aspect of the Polish-Lithuanian Commonwealth's political system, one may be tempted to formulate conclusions on how the Council's functioning might have adversely affected the Senate's position under the rule of Ladislaus IV.

II

THE POLITICAL SYSTEM OF THE POLISH-LITHUANIAN COMMONWEALTH

Historians describe the system of power in the Polish-Lithuanian Commonwealth as a *monarchia mixta*, essential to which was a balance between the power-wielding estates of the realm, maintained to prevent any of them from becoming dominant and imposing constitutional or systemic changes on the other peer actors.⁵ Given such realities, the connections and interrelations between the monarch, the Senate, and the nobility were of extreme importance as they influenced the functioning of the state. Hence, studies on the Commonwealth's political system can show in a better way the progressive degeneration of the Polish-Lithuanian state that consequently brought about its collapse and decay. While these phenomena were clearly perceptible since the middle of the seventeenth century, a tendency of upsetting the balance between the estates, which otherwise guaranteed the country's stability, was already observable in the earlier years. One manifestation of this trend was the impairment of the Senate – an institution that was meant to be the monarch's advisory body, control his doings and act as a mediator between the throne and the nobility.⁶

⁵ Stefania Ochmann, 'Rzeczpospolita jako *monarchia mixta* – dylematy władzy i wolności', in Andrzej Bartnicki *et al.* (eds), *Kultura, polityka, dyplomacja, Studia ofiarowane Profesorowi Jaremi Maciszewskiemu w sześćdziesiątą rocznicę Jego urodzin* (Warszawa, 1990), 273–4.

⁶ "Siquidem in Regno hoc Senatus, intermedius Ordo habetur, acsi murus ille Spartanus, inter Maiestatem ac libertatem positus; cui Regis, iuxta et Legu[m] autoritas ac custodia innitur", Vespasiano Kochowski, *Annalium Poloniae ab obitu Vladislai IV. Climacter Primus* (Cracoviae, 1683), 312; Czaplński, 'Senat za Władysława IV', 84;

No doubt, of considerable importance to this process, were the changes in the functioning of the Council which were made during Ladislaus IV Vasa's reign.

III THE SENATE

The earlier historiography viewed the origins of the Senate as strictly associated with the Royal Council formed under the reign of Casimir III the Great (1333–70); the said body had stemmed from the local rally, if not from the tribal gatherings.⁷ The Royal Council was an informal advisory body composed of the most trusted associates of the ruler, with whom he consulted on the critical issues related to the state's policies.⁸ In the second half of the fifteenth century, as the nobility's representation at provincial conventions was getting consolidated, the representation composed of clergymen and secular dignitaries got crystallised and became functioning as the parliament's upper chamber, called the Senate.⁹ The earlier historiographers assumed that the first diet (*Sejm*) that, along with representatives of the nobility, was a session held in 1493. As Waław Uruszczak's research has found, however, the earliest General *Sejm* of the Crown which was attended by members of both chambers of the parliament was held in 1468 in Piotrków.¹⁰ The importance that the Senate enjoyed in the early years of the formation of the diet was emphatically attested by the incidents of the year 1501, when attempts were made to make the Senate more

Jarosław Poraziński, 'Ordo intermedius? Kilka uwag o politycznej roli senatu w XVII i XVIII wieku', in Kazimierz Wajda (ed.), *Między wielką polityką a szlacheckim partykularyzmem. Studia z dziejów nowożytnej Polski i Europy ku czci Profesora Jacka Staszewskiego* (Toruń, 1993), 219.

⁷ Jerzy Wyrozumski, 'Geneza senatu w Polsce', in Krystyn Matwijowski and Jerzy Pietrzak (eds), *Senat w Polsce – dzieje i teraźniejszość. Sesja naukowa, Kraków 25 i 26 maja 1993* (Warszawa, 1993), 31; Waław Uruszczak, 'Sejm walny w epoce złotego wieku (1493–1569)', in Juliusz Bardach and Wanda Sudnik (eds), *Spółceństwo obywatelskie i jego reprezentacja (1493–1993)* (Warszawa, 1995), 53.

⁸ Andrzej Marzec, 'Rada królewska w monarchii Kazimierza Wielkiego', in Waldemar Bukowski and Tomasz Jurek (eds), *Narodziny Rzeczypospolitej. Studia z dziejów średniowiecza i czasów wczesnonowożytnych*, ii (Kraków, 2012), 828.

⁹ Wyrozumski, 'Geneza senatu', 29–31.

¹⁰ Waław Uruszczak, 'Najstarszy sejm walny koronny "dwuizbowy" w Piotrkowie w 1468 roku', in *Narodziny Rzeczypospolitej*, 1033–56.

influential in the state's policy-making, as part of the so-called Privilege of Mielnik. This royal act was, however, not put into practice; instead, the role of the Senate in the country's political system was more precisely determined at the diet of 1505, which was a breakthrough in the formation of Poland-Lithuania's constitutional system.¹¹ Apart from the *Nihil novi* constitution, which was key for the nobility's democracy, the diet adopted the wording of the senator's oath which pointed to the competencies of the higher chamber.¹² Members of the Senate were entrusted with the role of advisors to the Kingdom. They were meant to participate in making decisions of crucial importance to the state, mainly those regarding wars and defensive capability as well as foreign policy. Senators were moreover expected to take part in the law-making process by approving the proposed amendments (if any) or consulting them with the monarch.¹³ Anna Sucheni-Grabowska believes that the those competencies emphasised the opinion-making character of the Senate and exhibited its advisory role.¹⁴

IV THE KING AND THE SENATE

The *Nihil novi* constitution caused that the Commonwealth's monarchs were restricted in all the law-making actions by the need to obtain approval from the nobility.¹⁵ The successors of Alexander I Jagiellon found it difficult to come to terms with such a state of affairs, all the more that they ruled the Grand Duchy of Lithuania as patrimonial rulers who made decisions autonomously. Hence, they endeavoured to diminish the political importance of the deputies' chamber and had the Senate as their ally to this end. During the reign of Sigismund I the Old (1507–48), only those senators who were the dignitaries enjoying the

¹¹ Ludwik Sobolewski and Waclaw Uruszczak, 'Artykuły mielnickie z roku 1501', *Czasopismo Prawno-Historyczne*, xlii, 1–2 (1990), 73, 76; Anna Sucheni-Grabowska, 'Kształtowanie się koncepcji Senatu w XVI wieku', in *Senat w Polsce*, 45–6.

¹² 'Iuramentum consiliariorum Regni', in Jozafat Ohryzko (ed.), *Volumina Legum*, i (Petersburg, 1859), 152; Dariusz Makilla, *Władza wykonawcza w Rzeczypospolitej. Od połowy XVII wieku do 1763 roku. Studium historyczno-prawne* (Toruń, 2003), 129–30.

¹³ *Ibid.*

¹⁴ Sucheni-Grabowska, 'Kształtowanie się koncepcji Senatu', 37–8.

¹⁵ Wojciech Kriegseisen, *Sejmiki Rzeczypospolitej szlacheckiej w XVII i XVIII wieku* (Warszawa, 1991), 20.

king's sympathy and trust influenced the authorities.¹⁶ His successor Sigismund II Augustus tried to use the Senate in the games meant to limit the initiative of the deputies' representation.¹⁷ The monarch did not neglect the senators' opinions regarding state policy matters; he acquainted himself with these opinions by sending deliberative letters, holding conventions of upper chamber members, and deliberating together with them during diet debates.¹⁸ The issues submitted to the dignitaries' attention in the years of Sigismund II's rule were of diverse sorts: sometimes, they were of key significance to the Commonwealth, when it came to foreign or home policy issues; otherwise, royal family matters were considered.¹⁹ In Sucheni-Grabowska's opinion, the last of the Jagiellons would repeatedly hold conventions of senators for purely ceremonial purposes; at such occasions, the attendees assisted the king in signing state-level acts or participated in ceremonies held at the royal court.²⁰

Thus, the senators became a tool in the hands of the last Jagiellons, which they perceived as a means of support in the face of the opposition from the nobility. It is worth noting that these rulers had a considerable potential to make the Senate their subordinated body. They could manipulate its composition by appointing individuals favourable to the throne, or by making the senators dependent on them by Crown-land bestowals. This could not, obviously, ensure the loyalty of individual dignitaries – having obtained their profits, they could switch to the opposition at any moment; yet, the appointment prerogative gave the monarchs a possibility to build a favourable party in the upper chamber. Consequently, it can be said that while the Senate fulfilled its advisory role, its potential as an institution supervising the observance of the law by the monarch was somewhat limited. The competencies of the Senate as the advisory body to the monarch were made really clear and precise only after the death of the last of the

¹⁶ Waclaw Uruszczak, *Sejm walny koronny w latach 1506–1540* (Warszawa, 1980), 29.

¹⁷ Anna Sucheni-Grabowska, *Wolność i prawo w staropolskiej koncepcji państwa* (Warszawa, 2009), 140.

¹⁸ *Ibid.*, 135–6.

¹⁹ Anna Sucheni-Grabowska, 'Badania nad elitą władzy w latach 1551–1562', in Andrzej Wyczański (ed.), *Spółczesność staropolskie. Studia i szkice*, i (Warszawa, 1976), 69–71.

²⁰ *Ibid.*

Jagiellons.²¹ The Henrician Articles, which were a standing public-law agreement between the Commonwealth's estates, on the one hand, and the monarch appointed by them to the throne, on the other – and which basically turned into the country's constitution – provided that the senators “ought to observe that in all the matters nothing operate *contra dignitatem nostram* and against the common law”.²² By force of this document, members of the higher chamber were granted freedom to remain beside the king, whilst the rulers undertook to keep them informed of matters of state importance. The monarch was to consult them for foreign policy affairs, enrolment for the army, the date of a convention of the diet, as well as himself and his dignity or grandeur, including in the context of the royal family's matrimonial plans.

What is more, to ensure a permanent presence of upper chamber members with the king, the institution of resident senators was established, who were obligated to stay with the ruler for six months and serve him with advice in the matters mentioned above.²³ Whereas their opinion was not binding for the king, the fact that the concrete senators were imposed upon him as advisors must have been quite awkward for him.²⁴ Together with the ministers and other members of the upper chamber who stayed at the court, the resident senators formed the Council of the Senate, which was to serve as an advisory body to the ruler, and exert a control function over him, between the diets.²⁵ This particular article triggered controversy among some nobles. In their opinion, it implied disparity between members of the upper chamber and bestowed the resident members an overly considerable potential of influence on the state power. The opponents of the Council portentously prophesied that its establishment might lead to an oligarchic rule settled down in the

²¹ Dariusz Makiła, ‘Artykuły henrykowskie (1573–1576). Zakres wprowadzanych zmian w ustroju Rzeczypospolitej oraz ich ocena’, in Jan Dziegielewski, Krzysztof Koehler and Dorota Muszytowska (eds), *Rok 1573. Dokonania przodków sprzed 440 lat* (Warszawa, 2014), 164–5.

²² ‘Literae confirmationis articulorum Henrico Regi antea oblatorum’, in *Volumina Legum*, ii (Petersburg, 1859), 151.

²³ *Ibid.*, 150–2.

²⁴ Władysław Czapliński, ‘Walka pierwszych Wazów ze stanami’, in Krystyn Matwijowski and Zbigniew Wójcik (eds), *Studia z dziejów ustroju i skarbowości Rzeczypospolitej w XVII i XVIII w.* (Wrocław, 1981), 11.

²⁵ Stefania Ochmann-Staniszevska, *Dynastia Wazów w Polsce* (Warszawa, 2006), 48.

Commonwealth.²⁶ Also, the first election kings were reluctant toward the institution in question. Although Stephen Báthory swore the Henrician Articles, whereby he was bound to appoint resident senators, he did not meet this obligation and avoided such appointments during his reign.²⁷ This does not mean that this ruler did not use the advice from upper chamber members: a few dignitaries, forming the consultative minimum, accompanied him permanently.²⁸ Moreover, in his strife for the legitimisation of his actions, Báthory would repeatedly convene so-called Senate convocations, under the pretext of a crisis of the state, which were attended by the persons holding top offices in the higher chamber (so-called greater senators, i.e. bishops, voivodes, and voivodship castellans). At these meetings, debates were held on the state's internal and foreign policies, and related decisions made, bypassing the *Sejm* to this end.²⁹

²⁶ Aleksander Rembowski, *Konfederacja i rokosz*, prefaced and edited by Jolanta Choińska-Mika (Kraków, 2010), 357–8. 'Rozsądek o warszawskich sprawach na elekcyę do koronacyę należący', in Jan Czubek (ed.), *Pisma polityczne z czasów pierwszego bezkrólewia* (Kraków, 1906), 583–4: "and this article *de sedecimviratu*, is the oligarchy overt not, *et aperte mutat totam Reipublicae formam, nam et universitatem omnium in paucorum petestatem dividit et dispergit*. Our Commonwealth *ex uno atque omnibus constat*, and has its centre *inter unum et omnes*. The lords of the Council, those *sedecimviri*, whom I know not how to name: *magni procuratores regis et regni*, that is, *dictatores*, or the *faktotum*, or should I rather say, *factores*, what sort of an office shall they have? – 'The King and common freedom shall they guard'. – Then, should the other senators be like puppets? and you, land-owner, do keep silence: I am more aware of your liberty, and you are spending your money on what purpose, namely? the new *principatum*, indeed! And this novel office shall have might over the king, the Senate, the nobleman, and the entire Commonwealth? What is a king needed for, if a *sedecimvir* may render him deposed? Gentlemen, gentlemen! All of Poland was unable to hatch a Piast, and now the *sedecimvir* thing shall have him hatched; but, it is better now to counteract it, *cum messis in herba est*".

²⁷ 'Literae confirmationis articulorum Henrico Regi antea oblatorum', in *Volumina Legum*, ii, 151; Jan Dziegielewski, 'Magnaci a senat w Rzeczypospolitej końca XVI – pierwszej połowy XVII wieku', in Jerzy Urwanowicz, Ewa Dubas-Urwanowicz, and Piotr Guzowski (eds), *Władza i prestiż. Magnateria Rzeczypospolitej w XVI–XVIII wieku* (Białystok, 2003), 28.

²⁸ Leszek Kieniewicz, *Senat za Stefana Batorego* (Warszawa, 2000), 260.

²⁹ Ewa Dubas-Urwanowicz, *O nowy kształt Rzeczypospolitej. Kryzys polityczny w państwie w latach 1576–1586* (Warszawa, 2013), 33–8. Also, separate convocations of the Lithuanian Senate were convened at times; Tadeusz Wasilewski, 'Litewskie rady senatu w XVII w.', in Krystyn Matwijowski and Zbigniew Wójcik (eds), *Studia z dziejów Rzeczypospolitej szlacheckiej* (Wrocław, 1981), 87–8.

As Ewa Dubas-Urwanowicz views it, these informal assemblies, not provided for in the Commonwealth's laws, rendered the state's decision-making system more efficient. However, in parallel, they impaired the position of the monarch, making his actions non-transparent and authenticating the charges of the transgression of the prerogatives vested in him, put forth by the opposition.³⁰ Interestingly, the nobility did not demand from King Stephen to respect the Henrician Articles' provisions concerning residents. It might be that – having seen the role of the *Sejm* getting depreciated, along with the monarch's striving to pursue governance based on a narrow group composed of upper chamber members – the nobles tried not to broaden the senators' scope of power.³¹ Likewise, Sigismund III ignored, in the first years of his reign, the regulations of the law that forced him to appoint residents and, like his predecessor, resorted in some situations to convening Senate convocations.³² The nobility seemed to overlook this fact and, even if some nobles raised the question, they would do it seldom and desultorily.³³ The situation changed in 1607, following the conflict between the king and the estates, which led to the outbreak of the Rebellion of Sandomierz. These events made evident the need to observe the law on residents, as strongly demanded by the nobles who opposed Sigismund III.³⁴

In his strife to divert from himself the suspicion of an intent to impose absolutistic rule in the state, the ruler acquiesced to these demands. Consequently, a constitution was adopted to designate residents who, together with Polish and Lithuanian officials, “when *publica negotia* fall, ought to convene and consult on the public affairs, and belonging to [i.e. concerning] the Commonwealth, and falling under residence”.³⁵ Ever since, the ruler would permanently designate

³⁰ Dubas-Urwanowicz, *O nowy kształt Rzeczypospolitej*, 38.

³¹ Dziegielewski, ‘Magnaci a senat’, 27.

³² These were separate convocations for Lithuanian senators as well as gatherings common to all the provinces of Poland-Lithuania; Henryk Wisner, ‘Sejmiki litewskie w czasach Zygmunta III i Władysława IV. Konwokacja wileńska oraz sejmiki przedsejmowe i relacyjne’, *Miscellanea Historico-Archivistica*, iii (1989), 51–2; Janusz Dorobisz and Anna Filipczak-Kocur, *Senat za Zygmunta III i Władysława IV, in Senat w Polsce*, 74.

³³ Andrzej Nowakowski, ‘Senatorowie rezydenci w Polsce w latach 1573–1775’, *Studia Historyczne*, xxxiv (1991), 26.

³⁴ Makiła, *Władza wykonawcza*, 134.

³⁵ ‘O mieszkaniu senatorów’, in *Volumina Legum*, ii, 434.

senators to be his consorts. However, the king – such was the nobility's allegation – primarily took into considerations the opinions of dignitaries well-affected toward him and did not hold responsible any of those who neglected the obligation to stay at the court.³⁶ Observance of the law on residents did not undermine the monarch's position; and neither did the rebellion – which, in Stefania Ochmann-Staniszevska's view, impaired the middle nobility's influence on the centre of power and its bodies, not undermining the importance of the ruler or the governance system adopted by him.³⁷ The research conducted by Janusz Dorobisz proves that after 1607 Sigismund III repeatedly took advantage of the Council of the Senate when it came to making critical state-level decisions. This author believes that the king might have seen the Council as an ally supporting the throne's policy during diet sessions.³⁸

Due to dispersed records, it is difficult to discuss the issues considered at Council sessions and the frequency of these sessions under Sigismund III's reign; however, it can be stated without much doubt that the monarch would often discuss problems of state importance with the Council members.³⁹ One example is deliberative letters, which were an element of the diet convening procedure; the ruler would usually use such a letter to notify higher chamber members of the fixed date for the session and the topics to be addressed at the latter, seeking the addressees' opinion. At times, though, distribution of such

³⁶ Czapliński, *Walka pierwszych Wazów*, 15.

³⁷ Stefania Ochmann-Staniszevska, 'Od stabilizacji do kryzysu władzy królewskiej. Państwo Wazów', in Anna Sucheni-Grabowska and Małgorzata Żaryn (eds), *Między monarchą a demokracją. Studia z dziejów Polski XV–XVIII wieku* (Warszawa, 1994), 239.

³⁸ Janusz Dorobisz, 'Rady senatu za panowania Zygmunta III Wazy (komunikat)', in Leszek Kuberski (ed.), *Ludzie i sprawy* (Opole, 1998), 17.

³⁹ Franciszek Bohomolec, *Życie Jana Zamoyskiego kanclerza y hetmana wielkiego koronnego* (Warszawa, 1775), 250–1, 256, 260, 288. One example is the debate on a war against the Muscovy, held at the Council session in February 1609 and concluded with the decision to pursue an armed intervention; Jarema Maciszewski, *Polska a Moskwa 1603–1618. Opinie i stanowiska szlachty polskiej* (Warszawa, 1968), 162–5. Furthermore, the king sought opinion from resident senators regarding levy-in-mass and fixing dates for diet deliberations; cf. Archiwum Państwowe w Lublinie, *Księgi grodzkie lubelskie, Relacje, Manifestacje, Oblaty*, MS 58, 540v–541: Uniwersał Zygmunta III do szlachty koronnej [Sigismund III 'universal proclamation to the nobility of the Crown], at Warsaw, 19 June 1629; *ibid.*, MS 59, 796v–797: Sigismund III's universal proclamation to the nobility of the Crown, at Warsaw, 15 September 1630.

epistles was instrumental in sounding out the senators' opinions in matters of importance to the state – as is attested, for example, by the *deliberatoria* of March 1612, whose publication was decided due to poor attendance at the Council session held in January 1612. The king's meeting with members of the upper chamber was convened to consider matters related to the election of Prince Ladislaus Sigismund Vasa to the throne of Muscovy and a possible repeated war expedition to the tsarist capital city.⁴⁰ Since just a few senators had taken part in the deliberations, it was resolved that the problems should be consulted by letter with a larger number of upper chamber members.⁴¹ It is worth remarking that in the 1613 constitution 'on rising the wars and accepting military forces', the competencies of the Council were highlighted, under the assumption that the king would consult Senate members for preventing all and any perils to the Commonwealth.⁴²

V

COUNCIL SESSIONS UNDER LADISLAUS IV VASA:
GENERAL REMARKS

For the reign of Ladislaus IV, the records offer a much larger potential of shining a spotlight on topics addressed at Council sessions and the frequency of the latter. The merit in this respect mostly goes to the credit of Albrycht Stanisław [Albertus Stanislaus] Radziwiłł, Grand Chancellor of Lithuania, who in his diary noted down each of the meetings and remarked every time what the subject-matter would be.⁴³ Moreover, during the reign of this monarch, the nobility managed to force through the law concerning obligatory reading out of reports on Council sessions at the diet session (some of these

⁴⁰ Mirosław Nagielski, 'Stanowisko senatorów Rzeczypospolitej względem kontynuowania wojny z Moskwą wiosną 1612 roku', in Sławomir Górczyński and Mirosław Nagielski (eds), *Studia z dziejów Wielkiego Księstwa Litewskiego (XVI-XVII wieku)* (Warszawa, 2014), 319–36.

⁴¹ A total of thirty-nine letters replying to the king's *deliberatoria* are known; it can be presumed, though, that information from the monarch's chancellery was received by a larger number of senators; *ibid.*, 320–1.

⁴² 'O podnoszeniu wojen i przyjmowaniu wojsk', in *Volumina Legum*, iii (Petersburg, 1859), 80.

⁴³ Albrycht Stanisław Radziwiłł, *Memoriale rerum gestarum in Polonia 1632–1656*, ed. by Adam Przyboś and Roman Żelewski, i–iv (Wrocław, 1968–74).

reports have been preserved). Due to the official character of these documents, they form today the most precise source regarding the meetings of Senate members accompanying the king on a permanent basis. Based on these records, we can identify the attendees, the agendas and the topics addressed. Radziwiłł's jottings enable us to establish the identities of the attending senators. The diarist would not always record all the topics addressed during the discussion, often mentioning just the major issues. When using this particular record, it has to be borne in mind that the Chancellor was not aware of some of the king's meetings with senators, mostly because of his absence at the court.⁴⁴

In considering the meetings between upper chamber members and the king, the terms used by Chancellor A.S. Radziwiłł to describe these conferences are worth mentioning, to start with: he would alternately use the names *senatus consultum*, *consilium secretum*, or *privatum consilium*.⁴⁵ These phrases can raise doubts owing to the status of the session: should it be treated as a Council of the Senate session, or as some other kind of consultation, or, the king's meeting with selected individuals? The official reports from the years 1643–5 and diet diaries confirm that almost all the descriptions referring to a *consilium* or *consultum* were used by this diarist to denote Council of the Senate meetings. Interestingly, Radziwiłł was wont to emphasise the importance of each of the sessions, for which he used terms such as *arctissimum consilium*, *secretissimum consilium*, or *secretum secretorum consilium*.⁴⁶ The reasons behind his use of such a classification should be sought in the topics addressed as well as in the limited number of participants (only the senators selected by the monarch attended such meetings).⁴⁷ For instance, for the 'narrowest' session

⁴⁴ It is worth mentioning that in some cases Radziwiłł misdates the king's meetings with senators, which is verifiable primarily on the basis of diet diaries. Such errors might have been due to the fact that when writing his diary, he sometimes used notes, rewriting and editing them; Adam Przyboś, 'Pamiętnik Albrychta Stanisława Radziwiłła (1632–1656)', *Rocznik Naukowo-Dydaktyczny WSP w Krakowie*, xxvi (1967), Prace Historyczne, iii, 103.

⁴⁵ Radziwiłł, *Memoriale*, i: 1632–1633 (Wrocław, 1968), 136; ii: 1634–1639 (Wrocław, 1970), 290, 292, 294.

⁴⁶ *Ibid.*, 42, 120, 204.

⁴⁷ As Adam Przyboś, co-editor of A.S. Radziwiłł's diary, stresses, the memoirist placed special attention on using appropriate words; Przyboś, 'Pamiętnik Albrychta Stanisława Radziwiłła', 103.

(*arctissimum consilium*) of 15 February 1637, dedicated to the plans to marry an emperor's daughter, the king ordered seven Senate members to turn up.⁴⁸

VI FREQUENCY OF CONVENING COUNCIL SESSIONS UNDER LADISLAUS IV

The frequency of holding *senatus consilium* meetings was strictly dependent on the subject-matters addressed, and there was no formal requirement of their being convened at defined intervals. The monarch invited senators to attend deliberation sessions whenever he considered it necessary to seek their opinion.

The first of the Council sessions under the rule of Sigismund III's successor was held shortly after the closing of the election diet and concerned the threat posed by Muscovy.⁴⁹ Owing to the unquiet character of the first years of Ladislaus IV's rule, the monarch sought the senators' advice quite often. Albrycht Stanisław Radziwiłł recorded five meetings for the year 1633⁵⁰ and eight for 1634.⁵¹ While these numbers might seem low, the Grand Chancellor of Lithuania probably did not take note of some of the meetings. In any case, the king joined the war campaign near Smolensk in 1633–4, which prevented his regular meetings with Senate members. For 1635, Radziwiłł only mentions five sessions,⁵² which might have been due to the ruler's trip to Prussia in order to enter peace negotiations with Sweden. He must have been accompanied by members of the Senate, who, together with the senators from the lands visited by the king, could form a team enabling to hold a Council session. It cannot be precluded, though, that owing to the importance of the events taking place and the king's strife for meeting his personal goals related to his aspiration to regain the throne of Sweden, the ruler avoided holding sessions with all the dignitaries present around him. Instead, he sought advice from his closes associates – primarily, from Jakub Zadzik, the Grand

⁴⁸ Radziwiłł, *Memoriale*, ii, 206.

⁴⁹ *Ibid.*, i, 136.

⁵⁰ *Ibid.*, 185, 192, 201, 207.

⁵¹ *Ibid.*, ii, 37, 40–2, 48, 50–1.

⁵² *Ibid.*, 73, 76, 78, 81, 120.

Chancellor of the Crown, who bargained with the Swedes and with whom Ladislaus maintained correspondence contact.⁵³

The king's travels posed no obstacle to convening Senate sessions, as attested by the meetings from the beginning of 1636, which were held during the monarch's trip to Gdańsk undertaken to settle the maritime customs duties.⁵⁴ Radziwiłł tells us about nine meetings held in the said year;⁵⁵ in fact, there were more sessions, as attested (among other things) by a letter from Mikołaj Wojciech Gniewosz to Kazimierz Lew Sapieha from November 1636, notifying of the Council session held at the time.⁵⁶ For the subsequent year, the diarist records a total of eight meetings between the king and the senators.⁵⁷ Interestingly, in his notes from 1638, the diarist only mentions three Council sessions held in the first six months of the year.⁵⁸ Similarly to the previous years, this may be explained by the king's trip, as he travelled to the thermal springs of Baden. As is known from other sources, *senatus consilia* were convened by the king as he was on his way, of which Radziwiłł was unaware as he stayed in Poland then.⁵⁹ Back

⁵³ Janusz Dorobisz, *Jakub Zadzik (1582–1642)* (Opole, 2000), 233–5.

⁵⁴ Barbara Krystopa-Czupryńska, *Kompania Wschodnia (Eastland Company) a Rzeczpospolita w latach 1579–1673* (Olsztyn, 2003), 95.

⁵⁵ Radziwiłł, *Memoriale*, ii, 138, 141, 153–4, 158–9, 181, 191.

⁵⁶ Central'nyj deržavnyj istoričnyj arxiv Ukrajin, m. Kyjiv, fond 48, op. 1, no. 882, 1: Mikołaj Wojciech Gniewosz to Kazimierz Lew Sapieha of Grodno, 20 Nov. 1636.

⁵⁷ Radziwiłł, *Memoriale*, ii, 204–5, 209, 212–13, 222–3, 239–40.

⁵⁸ *Ibid.*, 263–4, 269.

⁵⁹ *Consilium Cestochoviae die 14 mensis augusti habitum super duobus nimirum Regio ad Thermas itinere et retinendo per unam trimestre milite in obsequio anno 1638*, Riksarkivet Stockholm, Extranea IX Polen, lxxix; *Consilium Wolgensdorffii ratione ceremoniarum sub congressum cum principum servandarum habitum, die 31 men[sis] augusti, ibid.* It might be considered whether the king's meeting with the senators held outside the country and concerning ceremonial matters related to Ladislaus IV's solemn entry into Vienna can be deemed to have been a Council session. This doubt is resolved based on an extant record (minutes). The fact that it was drawn up, the terms used in it, and the annotations made on it by Piotr Gembicki, Grand Chancellor of the Crown, prove that the meeting was official indeed, and its agenda was no different from that of the *senatus consilia* held within Poland-Lithuania: a proposition was declaimed to present the topics for the debate, then the senators took the floor (by 'votes') and, lastly, the conclusion was adopted, presenting the Council's position in respect of the problem debated on. After all, there were no rules to regulate the place of session or the topics to be discussed. Moreover, on his trip to Baden,

home, early in November 1638, the ruler probably held no meetings with senators for some time, as he first sojourned in Niepołomice and Ossolin, and afterwards indulged in his hunting passion in several places.⁶⁰

In 1639, Chancellor Radziwiłł more frequently accompanied the monarch in person, and his diary mentions as many as ten Council sessions for that year.⁶¹ In light of his account, 1639 saw, again, fewer meetings of the monarch's meetings with upper chamber representatives. Radziwiłł namely mentions three meetings only, all of which held in May.⁶² This small number can be explained by the king's falling ill and his frequent hunting trips when he was feeling better.⁶³

As has been mentioned, no information on Council sessions in Radziwiłł's diary does not mean that no such session was held within the given year. The year 1640 certainly saw much more of them than noticed by the Great Chancellor of Lithuania, who was absent at the court at the time. For the year 1641, he mentions nine such sessions.⁶⁴ The surviving reports on the king's meetings with members of the upper chamber prove, however, that there were many more: in September 1641 alone, five such meetings were held.⁶⁵ In 1642, the Chancellor

Ladislaus IV was accompanied by high-ranking senators whose presence enabled to carry out such a meeting.

⁶⁰ Radziwiłł, *Memoriale*, ii, 284.

⁶¹ *Ibid.*, 287, 290, 292, 294, 299, 320, 340, 342, 345.

⁶² *Ibid.*, iii: 1640–7 (Wrocław, 1972), 15, 17, 21.

⁶³ Biblioteka Narodowa, Biblioteka Ordynacji Zamoyskiej, MS 946, 20, Mikołaj Wojciech Gniewosz to Kazimierz Lew Sapieha, from Warsaw, 8 March 1640: "H.R.M. could not sign the charter, *propter debilitatem* and, more-over, due to his aching right-hand finger ...". On 15 May 1640, the ailing king was brought in his bed to the diet session: Biblioteka Naukowa PAU i PAN w Krakowie, MS 8405, 110, Mario Filonardi to Francisco Barberini, from Warsaw, 19 May 1640; Radziwiłł, *Memoriale*, iii, 16. The king wrestled with health problems in the subsequent months as well; by September, his condition was well enough to enable him to go hunting, which he dealt with until end of October: *ibid.*, 25–8, 31–2.

⁶⁴ *Ibid.*, 36–9, 44, 58, 62–4, 67. Council sessions held in the same year are referred to also in Bogusław Leszczyński's oratio at the 1641 diet: *L'vivs'ka Natsional'na Naukova Biblioteka Ukraini imeni V. Stefanika*, fond 4, op. 1, no. 274, 44–5: 'Upomnienie się *rationis senatus consultorum* przez jmp. Bogusława na Lesnie Leszczyńskiego marszałka izby poselskiej 1641'.

⁶⁵ Rikssarkivet Stockholm, Extranea IX Polen, lxxix, *Consilium secunda septembris 1641*; *ibid.*, *Consilium 5 die septembris*, *ibid.*; *Consilium septima septembris*; *Consilium 30 septembris*, *ibid.*; *Consilium 31 septembris*.

took note of merely four Council sessions, the reason being, again, the diarist's absence in the king's circle:⁶⁶ at least two more meetings are known to have been held, as the related reports are extant.⁶⁷

Much more precise sources of use in analysing the frequency of Council sessions are extant for April 1643 to June 1645; these are, namely, copies of reports on these meetings, presently kept as manuscript ref. no. 347 at the Library of Kórnik, recently edited by Agnieszka Biedrzycka.⁶⁸ There are seven minutes for the year 1643, ten for 1644, and another seven for 1645. This statistics partly does not coincide with Radziwiłł's diary, which for the same time noted down other meetings between the king and senators.⁶⁹ It may be that no minutes of them have survived; this can be evidenced by the session of 20 March 1645, deliberating on the royal marriage and described in detail by Radziwiłł, of which there is no report surviving, despite the importance of the problems considered and large attendance.⁷⁰ Moreover, some of the meetings noted down by the memoirist were limited to selected attendees, which was a clever ploy enabling to avoid the compilation of minutes, as otherwise demanded by the deputies' chamber. The king possibly resorted to such a solution in cases when the subject-matter to be considered might have triggered controversies with representatives of the nobility who heard out the reports at diet sessions. For instance, the *senatus consilium* of 22 March 1643, at which the proposals of alliance from Danish king Christian IV Oldenburg were discussed, was held in such an atmosphere of secrecy; the thirteen attending senators entered the session chamber at different entrances and at different times, to exercise discretion.⁷¹

Remarkably few mentions have survived concerning the Council sessions from the years 1646–8; Radziwiłł reports on four meetings

⁶⁶ Radziwiłł, *Memoriale*, iii, 87, 89, 93, 104–5.

⁶⁷ Riksbarkivet Stockholm, Extranea IX Polen, lxxix, *Senatus consultum die 9 marti 1642*; *ibid.*, *Senatus consultum Cestochoviae die 9 juli 1642*.

⁶⁸ Agnieszka Biedrzycka, 'Sprawozdania z rad senatu 1643–1645', *Rocznik Biblioteki Naukowej PAU i PAN w Krakowie*, lxxix (2014), 139–98.

⁶⁹ Radziwiłł mentions Council sessions of 11 and 22 March 1643; a meeting between the king and the senators in December 1643; and, the sessions of 14, 19, and 27 Feb. 1644; 2 March 1644; and 20 March 1645: Radziwiłł, *Memoriale*, iii, 126, 131, 149–50, 161, 163–4, 207, 210.

⁷⁰ *Ibid.*, 207.

⁷¹ *Ibid.*, 131.

in 1646⁷² and two in each of 1647⁷³ and 1648.⁷⁴ Hence, it is difficult to consider their frequency in detail. Due, however, to the fact that Ladislaus held more than 110 (identified) advisory sessions with senators, it can be firmly stated that this ruler would not shun from seeking opinion with upper chamber members. To compare, King John III Sobieski similarly willingly sought advice from the Council of the Senate and strove to strengthen its position in the parliamentary structure.⁷⁵ During his reign (1674–96), some eighty meetings with higher chamber members of a similar character were held.⁷⁶ This suggests that the rulers appreciated the body's advisory and consulting importance, and sought support with it for the policies they pursued.

VII SUBJECT-MATTERS CONSIDERED AT COUNCIL SESSIONS UNDER LADISLAUS IV

Based on the extant records, the topics addressed at Council of the Senate sessions in the years 1632 to 1648 can be presented with much more precision. These topics are classifiable into eight problem groups, as described below.

⁷² *Ibid.*, 240, 242, 254, 299. From a dispatch of Hubert von Walderode, Ambassador of the Emperor, and a letter by Venetian deputy Jan [Giovanni] Tiepolo we moreover know of a Council session held on 5 Jan. 1646. According to Wiktor Czermak, it was not a regular *senatus consilium* attended by all the chamber's member present at the court, but rather, a sort of war-related deliberations with a hetman and resident senators. This formula suggests that the king sought to circumvent the obligatory compilation of minutes, thus preventing the nobles from getting notified of the topic and what was determined or agreed at the session: Haus-, Hof- und Staatsarchiv Wien, Polen I, box 61, fasc. III (1646), 1–2: Hubert von Walderode to Ferdinand III Habsburg, from Warsaw, 6 Jan. 1646. Wiktor Czermak, *Plany wojny tureckiej Władysława IV* (Kraków, 1895), 69.

⁷³ Radziwiłł, *Memoriale*, iii, 305, 329.

⁷⁴ *Ibid.*, iv: 1648–1656 (Wrocław, 1974), 10, 12.

⁷⁵ Robert Kołodziej, 'Parlamentaryzm doby Jana III Sobieskiego', *Zeszyty Naukowe Uniwersytetu Jagiellońskiego. Prace Historyczne*, cxlvi, 2 (2019), 383.

⁷⁶ In his analysis of the Council sessions under John III Sobieski, Jacek Krupa enumerates 74 such meetings. Based on the most recent research, even more such meetings were held during this monarch's reign: Jacek Krupa, 'Rady senatu za Jana III Sobieskiego (1674–1676)', *Studia Historyczne*, xxxv, 3 (1992), 309–11, 322–8; Zbigniew Hundert, 'Ostatnia rada senatu przed wyruszeniem Jana III pod Wiedeń – 8 sierpnia 1683 roku w Łobzowie', *Studia Wilanowskie*, xxv (2018), 107–16; Kołodziej, 'Parlamentaryzm doby Jana III Sobieskiego', 393.

The problems most frequently discussed at the king's meetings with senators included aspects of the Commonwealth's foreign policy. The contents of letters from foreign monarchs, alien legations, and sending diplomats to other countries were repeatedly discussed. Depending on the international situation, talks were held on concrete actions to be taken in the interest of Poland-Lithuania. For example, it was considered to take steps to prevent the marriage of Brandenburg Elector Friedrich Wilhelm with Christina, Queen of Sweden.⁷⁷ The Council also discussed potential alliances; on 27 March 1646, for example, the proposition of an anti-Tatar alliance, presented by the Muscovy envoy, was considered.⁷⁸

The other group of issues taken up at Council sessions, discernible based on surviving records, are questions related to the functioning of the state. The problem most frequently addressed was the relevance or date of convening a diet (*Sejm*).⁷⁹ Current postulates of the deputies were debated on, including their demands concerning the reading out of *senatus consilium* reports.⁸⁰ Considered was also the satisfaction of the king's expectations of showing 'gratefulness' by the estates, which boiled down to paying off the monarch's debts,⁸¹ and his plans regarding foreign travels.⁸² Debates were sometimes carried out on problems related to the competencies of individual officials, including the prerogatives of the marshals.⁸³ Let us mention that February 1637 saw a discussion on details related to granting the senatorial office to the Bishop of Smolensk.⁸⁴

War and peace matters, and external threats to the Commonwealth, were among the frequently addressed topics. For obvious reasons, such problems were primarily considered in the first years of Ladislaus's reign, when the king debated together with Senate members on matters regarding the wars with the Muscovy⁸⁵ and the Ottoman Porte,⁸⁶ and considered entering into a peace agreement with the countries

⁷⁷ Biedrzycka, 'Sprawozdania z rad senatu', 155–6.

⁷⁸ Radziwiłł, *Memoriale*, iii, 240.

⁷⁹ *Ibid.*, ii, 213, 239, 299; iii, 104–5, 183.

⁸⁰ *Ibid.*, ii, 340; iii, 15, 58.

⁸¹ *Ibid.*, iii, 58, 146, 183.

⁸² Jakub Sobieski, *Peregrynacja po Europie [1607–1613]. Droga do Baden [1638]*, ed. by Józef Długosz (Wrocław, 2005), 205–6; Radziwiłł, *Memoriale*, iii, 329.

⁸³ *Ibid.*, ii, 154; iii, 163, 305; iv, 10.

⁸⁴ *Ibid.*, ii, 205.

⁸⁵ *Ibid.*, i, 136, 192; ii, 41–2.

⁸⁶ *Ibid.*, ii, 40–2, 50.

mentioned above as well as with Sweden.⁸⁷ In the subsequent years of the rule of Sigismund III's son, the security of borders was addressed at Council sessions on an ongoing basis, conditional upon the scale of threat and circumstances of the moment.⁸⁸

Military and treasury matters formed yet another group of problems discussed during Council sessions, the most frequent topic being the military pays in arrears.⁸⁹ It is worth mentioning, though, that in 1637, given the failure of the diet session in this respect, it was resolved at the *senatus consilium* that a new enlistment for the army be carried out.⁹⁰ In April 1646, a debate was held on sending soldiers to France in order to display the benefits generated by Ladislaus IV's marriage with Marie Louise Gonzaga.⁹¹ Many a time, expenditure related to dispatching and receiving legations was subjected to debate, including compensation for the diplomats' expenses and sums of money assignable to foreign legates.⁹² Some sessions were meant to make the attendees acquainted with treasury accounts and settlements.⁹³

Much discussion went on, moreover, about the state's internal security: how to prevent the circulation of counterfeit money,⁹⁴ increase the army⁹⁵ or the crews of the fortresses.⁹⁶ Other debates concerned the methods to withhold lawlessness and licence among soldiers,⁹⁷ or the Cossack affairs.⁹⁸ In May 1633, in connection with Ladislaus's planned trip to the Smolensk area where warfare against the Muscovy was on, the order to be kept in the country during the war expedition was discussed at a Council session.⁹⁹

⁸⁷ *Ibid.*, 48, 50; Adam Szelągowski, *Rozkład Rzeszy i Polska za panowania Władysława IV* (Kraków, 1907), 88.

⁸⁸ Radziwiłł, *Memoriale*, ii, 181, 209, 320; iii, 17, 37, 159, 169, 183, 210; Biedrzycka, 'Sprawozdania z rad senatu', 152, 175–8, 186–9.

⁸⁹ Radziwiłł, *Memoriale*, ii, 213, 222–3, 239; iii, 17, 58, 207, 210.

⁹⁰ *Ibid.*, ii, 212–13.

⁹¹ *Ibid.*, iii, 242–3.

⁹² *Ibid.*, 146, 161, 164, 169, 183; Biedrzycka, 'Sprawozdania z rad senatu', 150–1, 159–63, 168–70, 186–90, 196–7.

⁹³ Radziwiłł, *Memoriale*, ii, 41.

⁹⁴ *Ibid.*, iii, 210; Biedrzycka, 'Sprawozdania z rad senatu', 190–2.

⁹⁵ Radziwiłł, *Memoriale*, iii, 17.

⁹⁶ *Ibid.*, ii, 342; iii, 17.

⁹⁷ *Ibid.*, ii, 342.

⁹⁸ *Ibid.*, 342; iii, 17, 58.

⁹⁹ *Ibid.*, i, 192.

Also, Council sessions deliberated on Ladislaus's and the royal family's private affairs, including the ruler's matrimonial plans¹⁰⁰ and the marriage of Princess Anne Catherine Constantia.¹⁰¹ Affairs related to the other royal family members were touched upon less frequently: one such issue, humiliating as it was to the royal majesty, was the imprisonment of Prince John Casimir in France;¹⁰² another one was Prince Charles Ferdinand's appointment as Bishop of Płock;¹⁰³ yet another one, the bestowal and protection of Royal Prince Sigismund Casimir.¹⁰⁴

Depending on the circumstances, the Commonwealth's feoffs were considered. July 1633 and February 1639 saw discussions on the items of the homage deed from the Duchy of Courland and on internal affairs of these lands, including attempts to force the local ruler Jakob von Kettler to build Catholic churches.¹⁰⁵ The conditions of investiture were also discussed at the Council session related to the granting of the Prussian fief to Friedrich Wilhelm Hohenzollern in 1641.¹⁰⁶ Furthermore, affairs related to the lands of Lębork [Lauenburg] and Bytów/Bütow, which after the childless death of Bogusław XIV of the House of Griffins in 1637 were reintegrated in Poland-Lithuania.¹⁰⁷

One more issue considered at Council of the Senate sessions, which can be discerned based on Albrycht Stanisław Radziwiłł's diary and the minutes of the sessions, was private affairs of individuals – in most cases, problems related to personal conflicts of members of the power elite (taken broadly). To give some examples: in March 1636, the attendees considered the granting of a safe-conduct to Jerzy Zenowicz, Starost of Opsa, who had been punished by infamy for his duel with Tomasz Sapieha, son of the Voivod of Nowogródek.¹⁰⁸ March 1639 saw consideration of issuing a writ in a case against Krzysztof

¹⁰⁰ *Ibid.*, ii, 81, 120, 153, 204–5; iii, 207. Julian Bartoszewicz (ed.), *Kronika Pawła Piaseckiego biskupa przemyskiego. Polski przekład wedle dawnego rękopismu, poprzedzony studjum krytycznym nad życiem i pismami autora* (Kraków, 1870), 410–11.

¹⁰¹ Radziwiłł, *Memoriale*, iii, 38–9, 89, 93, 210.

¹⁰² *Ibid.*, ii, 292.

¹⁰³ *Ibid.*, iii, 58.

¹⁰⁴ *Ibid.*, 183.

¹⁰⁵ *Ibid.*, i, 207; ii, 287.

¹⁰⁶ *Ibid.*, iii, 36, 64.

¹⁰⁷ *Ibid.*, ii, 269; iii, 17.

¹⁰⁸ *Ibid.*, ii, 158.

Kiszka, Voivod of Mścislav [Mstislav].¹⁰⁹ In February 1642, the subject of the debate was Jeremi Wiśniowiecki usurping the care over his relatives, Princes Dymitr and Konstanty Wiśniowiecki, and Jeremi's wayward attitude that stroke the dignity of the throne.¹¹⁰

VIII PARTICIPANTS AND ATTENDEES

Resident senators, in principle, took part in Council of the Senate session. Apart from them, the sessions were attended by senators present at the time in the king's circle and invited by the king, as well as the ministers present at the court. Andrzej Korytko has very well analysed the cast of the Council's members; for the present purpose, let us confine ourselves to stating that the composition of attendees was not fixed, whereas the officials holding ministerial posts could boast the highest attendance.¹¹¹ Let us zoom in, at this point, on Adam Kazanowski, Court Marshal of the Crown, who was one of Ladislaus IV's closest associates and his favourite.

As found by Korytko, records attest Kazanowski's participation in twenty-five sessions. However, he might have taken part in forty-six meetings between the senators and the king, this making him one of those who offered their opinion to the ruler the most frequently.¹¹² Based on the extant sources, it appears that, despite his high position, he would seldom take the floor during the *senatus consilia*, and agreed with the previous speaker(s) most of the time. It may be thus inferred that he deemed it right not to present his own stance, had no political ambitions or oratorical gift; according to the prevalent opinion among historiographers, Kazanowski had no such ambitions indeed.¹¹³ Yet, during diet deliberations, he did not neglect his right

¹⁰⁹ *Ibid.*, 290.

¹¹⁰ *Ibid.*, iii, 87.

¹¹¹ Korytko, "Na których opiera się Rzeczpospolita", 249–56.

¹¹² *Ibid.*, 254–5.

¹¹³ Mirosław Nagielski, "Partia dworska" w schyłkowym okresie panowania Jana Kazimierza Wazy (1664–1668)', in Mariusz Markiewicz and Ryszard Skowron (eds), *Faworyci i opozycjoniści. Król a elity polityczne w Rzeczypospolitej XV–XVIII wieku* (Kraków, 2006), 332; Artur Goszczyński, 'Działalność polityczna Adama Kazanowskiego (1599–1649)', *Zeszyty Naukowe Uniwersytetu Jagiellońskiego. Prace Historyczne*, cxi, 2 (2013), 178–9.

to vote.¹¹⁴ In his orations, he consistently supported the interests of the throne; in some questions, he appeared as a sort of spokesman of the monarch.¹¹⁵ His insignificant activity at Council sessions might have been due to Ladislaus's attitude to the institution; apparently, the king did not seek support from his favourite at this particular forum.¹¹⁶ Hence, it can be concluded that in most of the cases concerned, *senatus consilia* would not stand in opposition to the monarch. It has to be borne in mind that another favourite of the ruler, Jerzy Ossoliński, Grand Chancellor of the Crown, participated in several Council sessions. Owing to the function he exercised and the uncommon oratorical talents he displayed, this man could satisfactorily represent the interests of the throne.¹¹⁷

IX

HOW THE KING'S ACTIONS AFFECTED THE OUTCOMES OF *SENATUS CONSILIUM* SESSIONS

It is worthy of note that, as the records suggest, Ladislaus IV invited only his chosen senators to selected Council sessions.¹¹⁸ Contrary to Władysław Czapliński's opinion, sessions composed of selected persons were no rarity, particularly if the matters deliberated on were of particular importance.¹¹⁹ It can, therefore be inferred that by manipulating the cast of attendees, the king tried to arrive at conclusions he considered beneficial. There are many indications that the ruler did not submit specific issues for the senators to express their opinion, confining himself to discussing them with his closest associates. As Ryszard Skowron's research has shown, such situation was the case with the designs of an anti-French alliance between

¹¹⁴ Korytko, "Na których opiera się Rzeczpospolita", 437.

¹¹⁵ Władysław Czapliński, *Polska a Bałtyk w latach 1632–1648. Dzieje floty i polityki morskiej* (Wrocław, 1952), 119; Goszczyński, 'Działalność polityczna', 165–6.

¹¹⁶ The source query has only found one vote delivered by Adam Kazanowski at the Council of the Senate session held on 31 Aug. 1638 in Wolkersdorf near Vienna, as Ladislaus IV was on his way to Baden; *Consilium Wolgensdorffi*.

¹¹⁷ Jerzy Ossoliński's attendance at a total of forty-one Council sessions can be confirmed, whereas he might have attended as many as fifty-two meetings between upper chamber members and the king; Korytko, "Na których opiera się Rzeczpospolita", 254.

¹¹⁸ Radziwiłł, *Memoriale*, ii, 205.

¹¹⁹ Czapliński, 'Senat za Władysława IV', 95.

Philip IV Habsburg and Ladislaus IV, of which only the king's favourites were aware – namely, Jerzy Ossoliński, Vice-Chancellor of the Crown; Adam Kazanowski, Chamberlain of the Crown; and Kasper Denhoff, Voivod of Sieradz.¹²⁰

Based on the preceding, it may be presumed that the king was wont to conceal some of his intentions from the senators, waiting for the right moment for an idea to be proposed to the Council. Thus, members of the upper chamber had to face the *faits accomplis*, so that the monarch could expect the approval of his propositions. One such procedure took place on 15 February 1637 as the king announced to the attending senators his plan to marry Cecilia Renata Habsburg, remarking that the mutual agreements have already been signed. Another one was the king's statement, at the *senatus consilium* in Łobzów in July 1646, of his intention to initiate a war against the Ottoman Porte.¹²¹ These examples tellingly testify that the successor of Sigismund III did not avoid confrontation with the Senate, however in matters of high importance to him, when he would expect an unfavourable attitude from the dignitaries, he resorted to various measures to force his ideas through.

X CONCLUSIONS

The considerable number of Council of the Senate sessions held during Ladislaus IV's rule attests that this ruler did not refrain from seeking opinion with members of the upper chamber. *Senatus consilia* were convened with various frequency, as the need aroused. The monarch's health condition and his frequent hunting trips might have been the reasons for why he delayed the holding of the sessions. The ruler addressed the senators in situations that called for consultation, in the light of the Commonwealth's laws and in his own assessment. They primarily concerned problems related to foreign policy, and the security and functioning of the state. Also, questions were considered of the treasury and the army, the royal family, the country's feoffs and, sometimes, affairs of individual officials or personal

¹²⁰ Ryszard Skowron, *Dyplomaci polscy w Hiszpanii w XVI i XVII wieku* (Kraków, 1997), 174–5.

¹²¹ Czermak, *Plany wojny tureckiej*, 136–7, 175–9.

conflicts in which members of the power elite were involved. It can therefore be concluded that the spectrum of the affairs addressed at Council sessions broadened with time. In this respect, the opinion of Janusz Dorobisz and Anna Filipczak-Kocur, whose research has found that such sessions debating on trifle matters were held at the expense of problems of importance that should have taken primacy, has to be accepted.¹²² This trend no doubt weakened the Council's position; its importance was affected, in parallel, by the strengthening role of the deputies' chamber, which with time dominated the Senate.¹²³ One demonstrative evidence was the duty, imposed in 1641, to read out reports on the king's meetings with senators to the diet assembly.¹²⁴

In the first years of Ladislaus IV's rule, the Councils functioned identically as under the rule of the previous monarch; this stemmed from the practice that had not been challenged. In any case, the first years of the reign of Sigismund III's son abounded in military conflicts that involved the neighbouring countries, absorbing the nobility-dominated society's attention on aspects of war and peace. The situation changed once the ruler started to provoke circumstances that split the society. The noblemen decided that the controversial imposition of maritime customs duty on Gdańsk and the idea to set up an order fraternity called the Cavalry of the Immaculate Conception of the Most Blessed Virgin Mary be discussed during the meetings of upper chamber members with the king. Together with Ladislaus's war ambitions, all this contributed to the conviction, shared by a part of the noble estate, that this monarch had absolutistic aspirations. Hence, the noblemen demanded that the matter of the deliberations be made overt to them, suspecting that some decisions calling the state's interests into question and the equality of the noble estate might be made at such meetings. The related regulation was formally in force since 1607; the *On the residence of Senators* [*O mieszkaniu senatorów*] constitution contained a provision regarding the taking of minutes of the *senatus consilia* and reporting on them at diet sessions.¹²⁵

¹²² Dorobisz and Filipczak-Kocur, *Senat za Zygmunta III i Władysława IV*, 98–9.

¹²³ *Ibid.*

¹²⁴ 'De reddenda ratione Senatus consultorum', in *Volumina Legum*, iv (Petersburg, 1860), 6. This constitution imposed, moreover, the obligation to invite to Council sessions all the upper chamber members present at the court; *ibid.*

¹²⁵ 'O mieszkaniu senatorów', in *Volumina Legum*, ii, 434.

Regardless of this, both the king and the residents were reluctant about observance of the law that they found awkward. This problem was addressed a few times at diets under Sigismund III; yet, the king was of the opinion that imposing such a duty would be detrimental, a view he supported on the grounds of the senatorial oath enjoining keeping state affairs secret.¹²⁶ The topic recurred during the 1632 interregnum when it was demanded that the provisions of 1607 be meticulously enforced in exorbitances (i.e. transgressions against the law). Like his father, Ladislaus IV saw no need to comply with these provisions.¹²⁷ From 1637 on, the nobility started to firmly push forth the question of reporting on the Council sessions at diet deliberations, with the result that a law was adopted, in 1641, enforcing the duty to take down minutes on the sessions and to report on them.¹²⁸ This basically did not result in a reduced number of Council sessions or affect the problems dealt with at these sessions. It is however known that the king endeavoured to discuss certain matters with selected senators only, thereby avoiding the obligation to present a report on the *consilium* at the diet session.

Viewing the Councils of the Senate from the standpoint of the political system, it has to be accepted that the functioning of this institution became a field of rivalry between the nobility and the throne, with the resultantly debilitated position of the Senate and, thereby, also the monarch. Thitherto, members of the upper chamber could authorise some of the king's decisions in the course of a *senatus consilium*, which allowed the monarch more autonomy. In the new realities, the nobility de facto increased its authorisation to control the throne, which translated into a more prominent role for the diet. Moreover, the overt status of deliberations introduced in 1641 implied a politicisation of the Senate whose members had to bear in mind that the opinions they expressed at *senatus consilia* would impinge on their relations with the nobility and, thereby, on their personal prestige and position. This certainly depreciated the counselling or advisory competencies of the Council, as attendees of its sessions could assume a position compliant with their particular interest, which did not have to coincide with the interest of the state.¹²⁹ This,

¹²⁶ Dorobisz and Filipczak-Kocur, *Senat za Zygmunta III i Władysława IV*, 93–4.

¹²⁷ *Ibid.*, 94.

¹²⁸ *Ibid.*; Czapliński, *Walka pierwszych Wazów*, 19–26.

¹²⁹ Poraziński, *Ordo intermedius?*, 220.

in turn, directly contributed to a degeneration of Poland-Lithuania's political system.

It is worth noting that those years saw an essential change in the political culture of the magnates who, with their potential influence on the nobility, could help to inhibit the impairment of the Senate. The magnates clearly focused on increasing their properties and on matters of local importance, thus preferring their private benefits over the fate of the state. A sort of feedback loop is discernible in this situation: lack of concordant counteraction from this group of the Commonwealth's society against the diminished role of the Senate implied a depreciated position of the higher chamber, which, consequently, disadvantaged their direct influence on the country's policies. This, in turn, led to shifting the burden of responsibility away from the state to the chamber of deputies. Obviously, the magnates did have an impact on its deliberations as diet (*Sejm*) and dietine (*sejmik*) sessions were attended by their clients who were ready to represent their interests and political line for ready money. This situation soon turned these assemblies into an arena of rivalry between the followers of the different magnates, which affected the governance of the Polish-Lithuanian state. The destruction of its government system implied a gradual deterioration of the Commonwealth's international importance, which eventually led to the disaster of partitions.

transl. *Tristan Korecki*

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