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Between Liberty and Crisis. The Sejm of the Commonwealth during the Reign of the Wettin Dynasty on the Polish Throne in 1697–1763

Między wolnością a kryzysem. Sejm Rzeczypospolitej w dobie panowania Wettynów na polskim tronie w latach 1697–1763

During the Saxon period (1697–1763) the Sejm of the Polish-Lithuanian Commonwealth experienced an extremely serious crisis. The latter, however, did not come into being in 1697, but was a continuum of the inferior functioning of the Polish Parliament already during the previous years. In the course of the Saxon era this crisis grew more grievous as demonstrated by the intervention of foreign states (Russia, Prussia, the Empire, France, and partly Sweden) into the functioning of the Polish Parliament. The outcome assumed the form of a paralysis of the legislature, making it impossible to carry out indispensable reforms within the state. At the time of Augustus II the Strong (1697–1733) the Sejms partly fulfilled their function and were even capable of introducing order into the legal treasury system in Poland (e.g. the Silent Sejm in 1717), but during the reign of Augustus III (1734–63) the Sejm became the sole arena of the political struggle waged by the royal court and magnate factions, often supported by neighbouring countries. The symbol of the role played by this particular monarch was the solitary Sejm held at the time, which ended with the passage of a constitution (the pacification Sejm of 1736). Despite its decline the Sejm remained of considerable importance for the nobility of the modern era. Conceived as a symbol of the functioning of the state it was treated as *pupilla libertatis*, a personification of the sovereign existence of the state and an institution indispensable for reforming and modernising the country.

Keywords: ordinary Sejm, Commonwealth, Saxon era (1697–1763), crisis

Sejm Rzeczypospolitej polsko-litewskiej na przełomie XVII i XVIII stulecia przeżywał bardzo poważny kryzys. Nie zrodził się on jednak w 1697 r., a był kontynuacją złego funkcjonowania polskiego parlamentu już w czasach wcześniejszych. W epoce saskiej kryzys ten się pogłębił, czego widowym efektem była ingerencja państw obcych (Rosji, Prus, Cesarstwa, Francji, częściowo Szwecji) w funkcjonowanie polskiego parlamentu. Jej skutkiem był paraliż władzy ustawodawczej, który uniemożliwiał przeprowadzenie niezbędnych reform w państwie. O ile w czasach rządów Augusta II (1697–1733) sejmy częściowo spełniały swoją funkcję, a nawet potrafiły w sposób całościowy porządkować system prawno-ustrojowo-skarbowy w Polsce (np. Sejm Niemy w 1717 r.), o tyle w okresie rządów Augusta III (1734–1763) sejm stał się

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jedynie areną walki politycznej dworu i faksji magnackich, za którymi bardzo często stały państwa ościenne. Symbolem panowania tego władcy jest tylko jeden sejm, który zakończył się uchwaleniem konstytucji (sejm pacyfikacyjny w 1736 r.). Mimo upadku sejm miał duże znaczenie dla szlachty epoki nowożytnej. Był symbolem istnienia i funkcjonowania państwa. Traktowano go jako „żrenicę wolności”, uosobienie suwerennego bytu państwowego i instytucję niezbędną, aby reformować i modernizować kraj.

Słowa kluczowe: sejm walny, Rzeczpospolita, czasy saskie (1697–1763), kryzys

I. Introductory remarks

In 1697, the nobility assembled at the electoral field near Warszawa elected a representative of the Albertine line of the Wettin dynasty – Friedrich August I (1670–1733), elector of Saxony (since 1694) – for the king of the Polish-Lithuanian Commonwealth as Augustus II the Strong of the Wettin House. From that moment both states (the Commonwealth and Saxony) were to be linked exclusively by the person of the ruler, preserving sovereignty in domestic policy and, to a large measure, foreign policy. This held true also for the separate functioning of estate assemblies: the Polish Sejm and the Saxon Landtag, whose range of activity, competence, and role in the state differed essentially. From the very beginning this state of things generated considerable difficulties with establishing the relations between the king and the Commonwealth. Within the tradition and practice of electoral rule and the reality of an absolutist state there was no place for treating Saxon estate assemblies as an equal partner in conducting domestic and foreign policies. Indeed, numerous decisions (mainly financial ones) were consulted with the estates but the decisive voice always belonged to the elector. In the course of the several decades long reign of Augustus II on the elector's throne (1694–1733) the authority of the Saxon estates was totally crushed and the Saxon Landtag became to a greater degree a representative institution deprived of actual impact on making the most important decisions in the state.¹

An outright different situation prevailed in the Commonwealth, where the ordinary Sejm constituted, together with the monarch, a fundamental source of law. It was a constant element of the so-called *mixta* monarchy, whose prime premise was an almost ideal political equilibrium between the ruler and the estates. Sejms and sejmiks were representatives of the will of the political nation, which in Poland during the modern era was exclusively the nobility. A violation of this fragile equilibrium could bring about

¹ W. Held, *Der Adel und August der Starke. Konflikt und Konfliktaustrag zwischen 1694 und 1707 in Kursachsen* (Böhlau-Verlag, Köln–Weimar–Wien, 1999); K. Czok, 'Ein Herrscher – zwei Staaten: Die sächsisch-polnische Personalunion als Problem des Monarchen aus sächsischer Sicht', in R. Rexheuser (ed.), *Die Personalunionen von Sachsen–Polen 1697–1763 und Hannover–England 1714–1837* (Harrassowitz, Wiesbaden, 2005), pp. 103–19; J.A. Gierowski, 'Władca w dwóch państwach. Unia personalna z perspektywy monarchów', in A.K. Link-Lenczowski (ed.), *Na szlakach Rzeczypospolitej w nowożytnej Europie* (Księgarnia Akademicka, Kraków, 2008), pp. 319–41.

an imbalance of the entire political system. This is the reason why not only the king but also his subjects (the nobility) were obligated to show concern for guaranteeing that this equilibrium would be permanent. Furthermore, the Sejm was also highly significant in the consciousness and ideology of the nobility. Its existence was extremely strongly associated (in the estimation of the nobility) with the state. Without the Sejm, whether effective or crisis-ridden, the nobility could not imagine the functioning of the free (they believed) state. As an important element of the political subjectivity of the Polish nobility its golden liberty was revealed most distinctly at Sejms and sejmiks, and subsequently in the Chamber of Deputies or the Senate. Simply nothing could replace these organs of the noblemen's democracy.

Unfortunately, already in the second half of the seventeenth century the crisis of the legislature grew increasingly conspicuous. In time it became more intense and resulted in an almost total paralysis of the Polish Sejm precisely at the moment when its legislative activity was indispensable for carrying out the changes and reforms urgently required by the Polish-Lithuanian state.

II. State of research

Research concerning the history of Polish parliamentarianism during the Saxon era is, in my opinion, highly unsatisfactory. When in 2010 Robert Kołodziej and Michał Zwierzykowski published a bibliography concerning Polish parliamentarianism of the modern age it became apparent that the number of monographs and scientific articles pertaining to the Saxon period totalled circa 10 per cent of all titles,² not much in comparison with the seventeenth century. As far as syntheses are concerned we actually have at our disposal only three works written by Henryk Olszewski,³ Jerzy Michalski,⁴ and Wojciech Kriegseisen,⁵ dealing with the history of the Polish Sejm across the ages, including the Saxon era. On the other hand, the absence of monographs on particular Sejms, source publications, or even contributive articles remains extremely noticeable.⁶

² R. Kołodziej, M. Zwierzykowski, *Bibliografia parlamentaryzmu Rzeczypospolitej szlacheckiej* (Wydawnictwo Poznańskie, Poznań, 2012).

³ H. Olszewski, *Sejm Rzeczypospolitej epoki oligarchii 1652–1763. Prawo, praktyka, teoria, programy* (Uniwersytet im. Adama Mickiewicza, Poznań, 1966).

⁴ J. Michalski, 'Sejm w czasach saskich', in J. Michalski, J. Bardach, W. Czaplński, J. Michalski, A. Sucheni-Grabowska, W. Uruszczak (eds), *Historia sejmu polskiego*, vol. 1: *Do schyłku szlacheckiej Rzeczypospolitej* (Państwowe Wydawnictwo Naukowe, Warszawa, 1984), pp. 300–49.

⁵ W. Kriegseisen, *Sejm Rzeczypospolitej szlacheckiej (do roku 1763). Geneza i kryzys władzy ustawodawczej* (Wydawnictwo Sejmowe, Warszawa, 1995).

⁶ After 1989 Stanisław Grodziski was probably the first to formulate comments on the state of research into modern Polish parliamentarianism. See *id.*, 'Pięćset lat sejmu polskiego. Rzut oka na stan badań', *Przegląd Sejmowy*, no. 1 (1993), 11–27. See also M. Zwierzykowski, 'Sejm i sejmiki Rzeczypospolitej w XVIII wieku w dorobku historiografii', *Historia Slavorum Occidentis*, no. 2(5) (2013), 58–75. For a summary of the accomplishments of Polish historical writings about the Senate see A. Korytko, 'Senat w Rzeczypospolitej XVI–XVIII w. Stan badań i postulaty badawcze', *Teki Sejmowe*, no. 1 (2010), 64–79. Noteworthy earlier texts dealing with the state of research into modern Polish parliamentarianism

It would be difficult to find a unanimous reply to the question why the history of the Polish Sejm during the Saxon era has met with such slight interest among historians. Perhaps the reason lies in the fact that, by way of example, during the reign of Augustus III Wettin all Sejms, with the exception of the pacification Sejm of 1736, were broken up and thus the number of assemblies, which could be the topic of monographs, automatically decreased: no one wished to write about disrupted Sejms. At the moment, however, it is difficult to propose a holistic answer to this question.

III. Sources – general remarks

Possibly, a certain explanation for the state of research into the Polish Saxon-era Sejm could be the source foundation, whose size can, sometimes very effectively, discourage more in-depth studies. Indubitably, today much higher requirements are made of modern monographs dealing with Sejms than was the case some 20–30 years ago. The range of archival surveys, which call for ‘going beyond’ sources accessible in Poland,⁷ such as the ones in Germany (archives in Dresden, Berlin⁸), Austria (Vienna) or, predominantly, Belarus, Lithuania, Ukraine or Russia, has grown. Without such sources it is impossible to envisage advanced studies on the history of Polish eighteenth-century parliamentarism.⁹ Source editions documenting the history of Saxon-era parliamentarism (thus

include: J. Adamus, ‘Nowe badania nad dziejami sejmu polskiego i genezą liberum veto’, *Czasopismo Prawno-Historyczne*, vol. 13, no. 19 (1961), 169–86. Adam Perlakowski published a short synthetic article referring to Saxon-era parliamentarism: *id.*, ‘Sejm Rzeczypospolitej polsko-litewskiej w czasach saskich (1697–1763). Diagnoza kryzysu. Uwagi krytyczne’, in A. Barciak (ed.), *Kultura Europy Środkowej*, vol. 19: *Systemy reprezentacji i parlamentaryzm w Europie Środkowej w rozwoju historycznym* (Studio Noa Ireneusz Olsza, Katowice–Zabrze, 2016), pp. 173–82.

⁷ On the role and resources of Polish archives and libraries in research into parliamentarism see M. Kulecki, ‘Archiwa dawnej Rzeczypospolitej źródłem do dziejów polskiego parlamentaryzmu’, *Miscellanea Historico-Archivistica*, vol. 5 (1995), 41–56; Z. Kosiński, Z. Pietrzyk, *Źródła do dziejów parlamentaryzmu polskiego XVI–XVIII wieku w zbiorach Biblioteki Jagiellońskiej* (Agencja Mienna Wojskowego, Kraków, 2004).

⁸ D. Kurpiers-Schreiber, ‘Materiały do historii sejmu staropolskiego w Geheimes Staatsarchiv Preußischer Kulturbesitz in Berlinie’, in J. Serejka, D. Kurpiers-Schreiber (eds), *Parlamentarzyści polscy od XVI do XX wieku. Stan badań i postulaty* (Wydawnictwo Uniwersytetu Opolskiego, Opole, 1999), pp. 153–64.

⁹ At this point it is worth indicating monographs dealing with Saxon-era Sejms: B. Dybaś, *Sejm pacyfikacyjny w 1699 roku* (Towarzystwo Naukowe w Toruniu, Toruń, 1991); J. Poraziński, *Sejm lubelski w 1703 r. i jego miejsce w konfliktach wewnętrznych na początku XVIII w.* (Towarzystwo Naukowe w Toruniu, Warszawa–Poznań–Toruń, 1988); H. Palkij, *Sejmy 1736 i 1738 roku. U początków nowej sytuacji politycznej w Rzeczypospolitej* (Polska Akademia Umiejętności, Kraków, 2000). Examples of earlier literature: W. Konopczyński, ‘Sejm grodzieński 1752’, *Kwartalnik Historyczny*, vol. 20, nos. 1 and 3 (1907), 59–104, 321–78; *id.*, ‘Fatalny sejm 1744 r.’, in *id.* (ed.), *Od Sobieskiego do Kościuszki. Szkice, drobiazgi, fraszki historyczne* (Gebethner i Wolff, Kraków, 1921), pp. 109–26. Studies by Michał Nycz on Polish finances within the context of the resolutions of the Silent Sejm of 1717 and by Urszula Kosińska on certain elements of diplomatic relations at the time of the Warszawa Sejm (1719) cannot be recognised as classical monographs pertaining to Sejms; see M. Nycz, *Geneza reform skarbowych sejmu niemego 1697–1717. Studium z dziejów skarbowo-wojskowych z lat 1697–1717* (Poznańskie Towarzystwo Przyjaciół Nauk, Poznań, 1938); U. Kosińska, *Sejm 1719–1720 a sprawa ratyfikacji traktatu wiedeńskiego* (Wydawnictwo Naukowe Semper, Warszawa, 2003).

not only the Sejm but also, e.g. sejmiks), published by historians from the eighteenth century, are not numerous, as one can learn having read the earlier-mentioned *Bibliografia parlamentaryzmu*. We shall notice that in the above collation editions of parliamentary sources constitute circa 13 per cent of all publications.¹⁰

IV. Difficult beginnings. The Sejm of the Commonwealth in 1697–1710

From the organisational viewpoint both the Sejm and the status of the deputy in the Commonwealth at the beginning of the reign of Augustus II did not, for all practical purposes, change in comparison with the previous period. At this time a deputy's mandate was imperative, which in practice denoted his affinity with the will of the electors and the restriction of functions exclusively to the range of the legitimacy granted to them. The scope of this legitimacy was defined by an instruction, i.e. a collection of directives addressed to the deputy for the sake of his activity in the Sejm. A sejmik could grant a deputy *plena potestas* or *limita potestas*. The former denoted consent for proposals made by the monarch and the Senate. The latter did not signify rejecting those proposals but rendered their acceptance dependent on the fulfilment of given conditions.¹¹ From the viewpoint of its structure and organisation the Sejm too did not change considerably in comparison with previous years.¹²

The convocation Sejm met after the death of Jan III Sobieski on 17 June 1696 and inaugurated debates on 29 August. Its task involved designating the place and date of the election of a new ruler. The Sejm, however, was broken up by Standard-Bearer (Polish: *chorąży*) of Chernihiv (Czernihów) Łukasz Horodyński, and almost immediately became 'resurrected' by the establishment of a confederation. The turbulent *interregnum* ended formally on 15 June 1697. The election of an elector from the Wettin dynasty to mount the Polish throne was the sovereign decision made by the nobility amassed in the electoral field at Wola near Warsaw. At this stage it is worth dedicating several sentences to this type of Sejm, which constituted part of the fundamental rights of the Commonwealth. Its universal (*viritim*) character was envisaged as remedy for the crisis in which the state found itself during the *interregnum*.¹³ The electoral field at Wola became a site where the free voice of the nobility was to decide about the election of the head of state and the fate of the country for the coming years.¹⁴ Initially, the sympathies of the nobility gathered at the Sejm favoured the French candidate,

¹⁰ See Kołodziej, Zwierzykowski, *Bibliografia parlamentaryzmu*, pp. 21–35.

¹¹ W. Uruszczak, 'Poselstwo sejmowe w dawnej Polsce. Poslaniec, mandatariusz, poseł narodu', *Czasopismo Prawno-Historyczne*, vol. 61, no. 1 (2009), 56–57.

¹² Michalski, 'Sejm w czasach saskich', pp. 300–01.

¹³ J. Bardach, 'Sejm dawnej Rzeczypospolitej jako organ reprezentacyjny', *Czasopismo Prawno-Historyczne*, vol. 35, no. 1 (1983), 137–38.

¹⁴ More extensively on the place of elections in Polish history in H. Rutkowski, 'Pole elekcyjne na Woli', *Rocznik Warszawski*, vol. 21 (1990), 23–45.

Louis François I de Bourbon, Prince of Conti (1664–1709), supported by, i.a. Primate Michał Stefan Radziejowski (1645–1705). Ultimately, a large number of the nobility (although we do not know whether all the members of that estate) voted in favour of the Wettin candidate. The supporters of Prince of Conti did not recognise this choice, and the Sejm split into two while the new ruler, Augustus II, faced the necessity of carrying out inner pacification of the country.¹⁵ The success of Friedrich August was decided by the passivity of the Conti supporters as well as the speed with which the Wettin candidate found himself in the Commonwealth: he was crowned king of Poland at the Wawel cathedral on 15 September 1697. It seems worth stressing that *pacta conventa*, i.e. the private obligations of the Wettin monarch, included also the idea of a mounted Sejm to be convoked by the monarch at regular intervals ('every third Sejm') and attended by the nobility *viritim* (which means personally, man by man), arriving to make *ad hoc* decisions connected with threats facing the country.¹⁶

The most prominent problem for the new ruler was pacification. Augustus II convoked the Sejm in Warsaw (16 April 1698), but it proved unsuccessful, being broken up at the moment when Lithuanian deputies demanded dealing with members of the Sapieha family at an equine Sejm specially convened for this purpose.¹⁷ Only the Sejm in Warsaw (between 16 June and 31 August 1699), whose marshal (speaker of the house) was Stanisław Szczuka (1654–1710), Vice-chancellor of Lithuania (Polish: *podkanclerzy litewski*, Latin: *subcancellarius Lithuaniae*) and close collaborator of the king, calmed the atmosphere. In his analysis of the course of this Sejm, Bogusław Dybaś distinguished two currents. The first concerned extinguishing the political crisis which arose after the election of 1697, and the second was connected with reflections on the domestic crisis. The latter trend resulted in willingness to put the Commonwealth in order, which in a more distant perspective corresponded to plans of state reform conceived by Augustus II.¹⁸ It was precisely this Sejm that inaugurated the actual reign of the Wettin ruler on the Polish throne. The monarch's error, however, consisted in undertaking the implementation of reforms by means of extremely rapid and outright revolutionary changes (i.a. by resorting to that part of the Saxon army which was not withdrawn from the Commonwealth despite demands made by the nobility), for which the noblemen's society was unprepared. The price to be paid by the monarch for this error in the coming years proved to be very high.

The participation of Augustus II in his capacity as the Saxon elector in the war waged against Sweden (1700) had extremely grave consequences for the Common-

¹⁵ J. Staszewski, 'Elekcja 1697 roku', in *id.*, „*Jak Polskę przemienić w kraj kwitnący...*”. *Szkice i studia z czasów saskich* (Ośrodek Badań Naukowych im. Wojciecha Kętrzyńskiego w Olsztynie, Olsztyn, 1997), pp. 7–22.

¹⁶ Bardach, 'Sejm dawnej Rzeczypospolitej', p. 138.

¹⁷ J.A. Gierowski, *Rzeczpospolita w dobie złotej wolności (1648–1763)*, Series: *Wielka Historia Polski*, vol. 5 (Oficyna Wydawnicza Fogra, Kraków, 2001), p. 232.

¹⁸ B. Dybaś, *Sejm pacyfikacyjny* (Towarzystwo Naukowe w Toruniu, Toruń, 1991), pp. 229–30. For constitutions of the 1699 Sejm see *Volumina Legum* (hereinafter: VL), vol. 6, ed. J. Ohryzko (Petersburg, 1860), pp. 13–46.

wealth. In the wake of a number of defeats suffered by the Saxon army (i.a. at Riga), the Swedish army crossed the frontiers of the Polish-Lithuanian state and rapidly penetrated the country. Charles XII Wittelsbach of Sweden (1682–1718) did not conceal the fact that his supreme goal was to bring about the abdication of Augustus II. Furthermore, the Polish monarch was forced to face the local opposition headed by Primate Michał Stefan Radziejowski; in addition, he dealt with the extremely tense situation in the Grand Duchy of Lithuania, where the local nobility was tired of the hegemony of the Sapiehas.

Despite military defeats (i.a. at Klissow [Kliszów] in 1702) and the seizure by the Swedes of large terrains of the Commonwealth, parliamentary life did not come to a standstill and two Sejms were held in Warsaw in 1701–02. The first was convoked for 30 May 1701 and soon interrupted on 18 June. The second assembly (22 December 1701 – 8 February 1702) was disrupted by Kazimierz Pac, a supporter of the Sapieha family, dissatisfied with being omitted upon the occasion of nominations to the office of Crown court marshal.¹⁹ The Commonwealth now faced the threat of civil war.

During this period, challenging for Augustus II, a special role was performed by the Senate council in Malbork, which, with a brief interval, debated from March to May 1703. It certainly reinforced the rule of the monarch and caused a consolidation of part of the nobility society around royal Majesty, expressed in, i.a. the acceptance of a demand for convening an extraordinary Sejm.²⁰ The latter assembled in Lublin and debated under Marshal Michał Serwacy Wiśniowiecki, Field Hetman of Lithuania (19 April – 11 July 1703). Unfortunately, it proved to be also a turning point, which intensified the several years long division of Polish society. Ousting several deputies from Greater Poland in the course of verifying the legitimacy of elections conducted at the sejmiks became the reason why a considerable part of the outraged nobility led by Stanisław Leszczyński (1677–1766), Voivode of Poznań, left Lublin and decided to already officially support the Swedes. Nevertheless, the Sejm was very efficient even without deputies from Greater Poland and passed several constitutions concerning taxation and the army, increasing the latter to almost 50,000 men; it also resolved to dispatch envoys to Tsar Peter I Romanov.²¹ In July 1703, the nobility of Greater Poland, gathered at a convention held in Środa, passed an act of a confederation, thus opposing all resolutions made by the Sejm of Lublin and in this way destroying work aimed at the pacification of the country.²²

¹⁹ Kriegseisen, *Sejm Rzeczypospolitej*, pp. 133–34; U. Kosińska, 'Liberum veto jako narzędzie niszczenia sejmów przez państwa ościenne w czasach Augusta II', *Biblioteka Epoki Nowożytnej*, vol. 4, no. 1 (2016), 129.

²⁰ J. Poraziński, 'Malborska rada senatu w 1703 roku', *Zapiski Historyczne*, vol. 44, no. 2 (1979), 56.

²¹ M. Drozdowski, 'Działalność budżetowa sejmów Rzeczypospolitej w czasach saskich', *Roczniki Dziejów Społecznych i Gospodarczych*, vol. 38 (1977), 118–19. For Sejm constitutions see VL, vol. 6, 46–67.

²² An extremely interesting presentation of these issues in Jarosław Poraziński's monograph of the Sejm: *id.*, *Sejm lubelski*. On the political situation of the period see Gierowski, *Rzeczpospolita w dobie*, pp. 254–55.

As a consequence of successive military defeats, and soon due to the Swedish invasion of Saxony, Augustus II was compelled to abdicate. No Sejms were convened. Stanisław Leszczyński, “monarch by the grace of the Swede”, also did not convoke a Sejm, being totally dependent in all his decisions upon Charles XII. The defeat of the Swedish army at Poltava in 1709 enabled Augustus II to return to the Commonwealth in the same year. The restoration of his rule took place at the debates of the so-called General Council of Warsaw in 1710. This was by no means a typical General Sejm, but a council held *sub vinculo* of the confederation of Sandomierz. Its task was to implement resolutions passed at the Sejm of Lublin. Debates held from 4 February to 16 April 1719 were attended by deputies elected by sejmiks and designated by the constitutions of the Sejm of Lublin. Numerous resolutions establishing order did not, however, reform the tax-army system of the Commonwealth.²³ This situation was concurrent with royal plans of far reaching changes consisting of reinforcing the rule of the monarch. In 1710 the designs in question were not as yet determined, but in the coming years they caused a rise of inner unrest, whose outcome was the formation of the Tarnogród Confederation of 1715.

V. Sejms after the restoration of the rule of Augustus II (1712–13)

In 1712 the monarch summoned to Warsaw an extraordinary Sejm, which inaugurated deliberations on 5 April 1712, with Stanisław Ernest Denhoff as marshal of the Chamber of Deputies. The Sejm rapidly adjourned its debates, reassumed on 31 December 1712.²⁴ The most prominent problems pertaining to the domestic situation in the Commonwealth were connected with the trial of the adherents of Stanisław Leszczyński, the conflict between Grand Hetman of the Crown Adam Mikołaj Sieniawski (1666–1726) and the clergy concerning tax burdens of landed estates belonging to the latter, the dispute between the hetmans of Lithuania: Grand Hetman Ludwik Pociąg (1664–1730) and Field Hetman Stanisław Ernest Denhoff, and, finally, the inclusion of Saxon troops into the compute army of the Commonwealth. Debates were prolonged upon four occasions.²⁵ Augustus II demonstrated a far-reaching inclination towards compromise, and upon several occasions saved the Sejm from being broken up, i.a. by acting as an intermediary in talks with the adherents of Stanisław Leszczyński or moderating the bishops’ violent protests aimed, in their opinion, against the extremely dangerous plans pursued by Adam Mikołaj Sieniawski.²⁶ Unfortunately, despite great chances for success, i.e. the completion of its session in the foreseen time

²³ The presumed compute army established at the General Council was to total c. 63,000 men. See Drozdowski, ‘Działalność budżetowa’, pp. 124–25; VL, vol. 6, pp. 67–106.

²⁴ For the legislative achievements of this Sejm see VL vol. 6, pp. 106–12.

²⁵ J.A. Gierowski, ‘Sejm z 1713 r. w relacjach nuncjusza Odeschalchiego’, in Link-Lenczowski (ed.), *Na szlakach Rzeczypospolitej*, pp. 463–64.

²⁶ *Ibid.*, p. 465.

and the passage of a constitution, the Sejm in question was once again disrupted,²⁷ the reason being the absence of consent for its extension,²⁸ intensifying the crisis within the Polish-Lithuanian state.

VI. Towards the great reform – 1717

Indubitably the most important parliamentary event at the time of the Polish-Saxon union was the so-called Silent Sejm (Polish: *Sejm Niemy*). Its convocation was preceded by an outbreak of the Tarnogród Confederation (1715–17), a national movement of the nobility directed against the presence of Saxon armies in Poland. Apart from military campaigns conducted in the lands of the Commonwealth during almost the whole of 1716 there also took place months-long negotiations between the king and the confederates, with the participation (at least to a certain moment) of the Russian side represented by a diplomat of Tsar Peter I – Grigory Dolgoruky (1656–1723). The negotiations ended with signing the treaty of Warsaw (3 November 1716), whose ratification took place in the course of a ceremonial Sejm held on 1 February 1717. It was precisely around this Sejm that there appeared the largest number of myths and simplifications replicated by historians and popularisers of history.²⁹

Unfortunately, many such theses continue to function in the form of monographs and foreign language articles. The most characteristic element of this narration is the alleged intervention and pressure exerted by Grigory Dolgoruky, who supposedly not only intimidated the participants of negotiations between Augustus II and the confederates but, in addition, on 1 February 1717 ordered the Sejm building to be encircled by 1800 Russian soldiers and forbade anyone to speak.³⁰ Actually, Dolgoruky was ejected from the final confederation sessions and deprived of all impact upon the ultimate shape of the treaty resolutions.³¹ Indeed, he did appear in as late as 31 December 1716 to intervene in the interests of both grand hetmans – of the Crown and Lithuania,

²⁷ *Ibid.*, pp. 467–68; Kosińska, ‘*Liberum veto* jako narzędzie’, p. 130.

²⁸ Kriegseisen, *Sejm Rzeczypospolitej*, pp. 137–38.

²⁹ N. Davies, *Boże igrzysko. Historia Polski*, transl. E. Tabakowska (5th edn, Znak, Kraków, 2006), pp. 463–64; A. Zamojski, *Polska opowieść o dziejach niezwykłego narodu 966–2008* (Wydawnictwo Literackie, Kraków, 2011), pp. 248–49. A summary of the achievements of Polish nineteenth- and twentieth-century historiography about the Tarnogród Confederation and the ‘Silent Sejm’ was recently presented by Grzegorz Głabisz: *id.*, ‘„Obradował w sali otoczonej przez rosyjskie wojska”. Obraz Sejmu Niemego w narracjach syntetyzujących dzieje Polski’, in M. Zwierzykowski (ed.), *Sejm Niemy. Między mitem a reformą państwa* (Wydawnictwo Sejmowe, Warszawa, 2019), pp. 341–65.

³⁰ J. Jędruch, *Constitutions, Elections, and Legislatures of Poland 1493–1993. A Guide to Their History* (EJL Books, New York, 1993), p. 155.

³¹ J.A. Gierowski, ‘Wokół mediacji w Traktacie Warszawskim 1716 roku’, *Zeszyty Naukowe Uniwersytetu Jagiellońskiego. Prace Historyczne*, no. 26(206) (1969), 57–68; M. Zwierzykowski, ‘Negocjacje pacyfikacyjne w okresie Sejmu Niemego (1716–1717). Porażka partykularyzmów i sukces racji stanu?’, in Z. Anusik (ed.), *Spyryt o państwo w dobie nowożytnej. Między racją stanu a partykularyzmem* (Wydawnictwo Uniwersytetu Łódzkiego, Łódź, 2007), pp. 175–85.

but his voice was totally ignored.³² In November and December 1716 parallel work was conducted on preparing a constitution for the future Sejm. All proposals made by the king and the confederation authorities had to obtain the sanctions of both sides. Ultimately, the projects were signed in 30 January 1717, and despite the fact that the manner of passing this constitution met with the decisive protest of the nobility the content of the resolutions was never doubted by the noblemen's nation.³³

The Silent Sejm was not totally 'silent', as it was habitually described. The Marshal of the Sejm, Stanisław Ledóchowski (1666–1725), chamberlain of Krzemieniec and Marshal of the Tarnogród Confederation, delivered speeches welcoming the king and then bidding him farewell, certain resolutions were vetoed, and discussions were conducted also in the course of reading Sejm constitutions.³⁴

The discussed assembly was certainly exceptional for yet another reason. As Robert Kołodziej noted, if we were to include the time spent deliberating Sejm constitutions (starting from the autumn of 1716) it would total 129 days.³⁵ It also differed significantly from other Sejms due to the practical aspects of functioning. The Sejm in question left behind extraordinarily extensive legislative achievements, i.a. the treasury-army reform.³⁶ It was precisely in 1717 that it introduced solutions in the form of a permanent budget whose means (unfortunately limited) were intended for the army,³⁷ drastically restricted the privileges of the nobility self-government (adjournments of Sejm debates by sejmiks),³⁸ and hetmans' rights to conduct an independent foreign policy and make autonomous decisions concerning the financing of the army. The introduced legislation aimed against religious dissenters among the nobility to a certain degree questioned the firmly enrooted (at least from the time of the Warsaw Confederation of 1573) idea of equal rights for different creeds.³⁹ Within the legal-institutional system

³² J.A. Gierowski, 'Wyjątkowe konkluzje sejmowe', in A.K. Link-Lenczowski (ed.), *Na szlakach Rzeczypospolitej w nowożytnej Europie* (Księgarnia Akademicka, Kraków, 2008), p. 551.

³³ *Ibid.*, p. 553.

³⁴ R. Kołodziej, 'Sejm Niemy na tle praktyki funkcjonowania staropolskiego parlamentaryzmu', in M. Zwierzykowski (ed.), *Sejm Niemy*, p. 173.

³⁵ *Ibid.*, p. 140.

³⁶ For complete constitutional achievements of this Sejm see VL, vol. 6, pp. 112–204.

³⁷ Up to now the most complete image of financial reforms from 1717 was presented by M. Nycz (*id.*, *Geneza reform skarbowych*), using sources destroyed by the Germans after the fall of the Warszawa Uprising in 1944. Unfortunately, the same opportunity was unavailable to the author of these words, discussing the accomplishments of the Sejm in question: A. Perlakowski, *Jan Jerzy Przebendowski jako podskarbi wielki koronny (1703–1729). Studium funkcjonowania ministerium* (Historia Iagiellonica, Kraków, 2004), pp. 180–83.

³⁸ Adam Lityński described the status of sejmiks prior to 1717 as autonomous. See *id.*, 'Sejmiki ziemskie koronne Rzeczypospolitej w okresie oligarchii', *Czasopismo Prawno-Historyczne*, vol. 35, no. 1 (1983), 182.

³⁹ Michalski, 'Sejm w czasach saskich', p. 305; W. Kriegseisen, 'Zmierzch staropolskiej polityki, czyli o niektórych cechach szczególnych polskiej kultury politycznej przełomu XVII i XVIII wieku', in U. Augustyniak, A. Karpiński (eds), *Zmierzch kultury staropolskiej. Ciągłość i kryzysy (wieki XVII–XIX)* (Wydawnictwo Naukowe Semper, Warszawa, 1997), pp. 27, 30; H. Roos, 'Ständewesen und parlamentarische Verfassung in Polen (1505–1772)', in D. Gerhard (ed.), *Ständische Vertretungen in Europa im 17. und 18. Jahrhundert* (Vandenhoeck & Ruprecht, Göttingen, 1975), p. 320.

the Sejm in question considerably enhanced the power wielded by the monarch and granted him control over the most valuable part of the Crown army.⁴⁰ Indeed, in as late as 1967 Stanisław Grodziski proposed an extremely negative appraisal of the outcome of the gathering from 1717,⁴¹ but the view that the resolutions of the Silent Sejm considerably weakened the significance of the Parliament, from that time debating at fixed intervals and deprived of impact upon the budget, is totally off the mark.⁴² On the contrary, it was exactly this Sejm, preceded by the difficult negotiations of Augustus II with the confederates, that constituted the utmost that the Polish-Lithuanian state was capable of achieving at the time.⁴³

I would argue that the Silent Sejm played the most significant part in reforming the state during the Saxon period. It was unquestionably a spectacular political success and expressed a compromise between the nobility and the monarch.⁴⁴ All the way to the so-called Great Sejm (1788–92) there was no other gathering that undertook such widely conceived and complex transformations. Even in comparison with subsequent Sejms of the Stanisław Augustus Poniatowski era, convoked in 1764 and 1775, it appears to be one of the most important reform events in the Polish-Lithuanian state under Saxon rule.

VII. Unexploited chances. Sejm assemblies in 1718–26

The next assembly following the Silent Sejm took place in Grodno (3 October – 14 November 1718). This was the first ordinary Sejm during the reign of Augustus II, which sat in the Grand Duchy of Lithuania and the first about which we can be almost certain that it was broken up upon the order of a neighbouring country (Russia).⁴⁵ The debates followed an extremely efficient course. Voivode of Minsk Krzysztof Stanisław Zawisza (1666–1721) was rapidly elected marshal of the Sejm. The dominating topic was the evacuation of Russian armies from the Commonwealth.⁴⁶ Ultimately,

⁴⁰ T. Ciesielski, 'Zabiegi hetmanów o rewizję uchwał sejmu niemego i odzyskanie komendy nad autoremmentem cudzoziemskim a sejmy w latach 1717–1724 (prolegomena)', in J. Muszyńska (ed.), *Rzeczpospolita w dobie Wielkiej Wojny Północnej* (Wydawnictwo Akademii Świętokrzyskiej, Kielce, 2001), p. 65.

⁴¹ S. Grodziski, 'W rocznicę „sejmu niemego” 1717–1967', *Studia Historyczne*, vol. 10, nos. 3–4 (1967), 26.

⁴² Kriegseisen, 'Zmierzch staropolskiej polityki', p. 28.

⁴³ T. Ciesielski, 'Wprowadzenie do zagadnienia uchwał skarbowo-wojskowych Sejmu Niemego', in *id.* (ed.), *Studia nad konfederacją tarnogrodzką i Sejmem Niemym* (Wydawnictwo Neriton, Warszawa, 2020), pp. 7–19.

⁴⁴ J.A. Gierowski, 'Reforms in Poland after the "Dumb Diet" (1717)', in S. Fizman (ed.), *Constitution and Reform in Eighteenth-Century Poland. The Constitution of 3 May 1791* (Indiana University Press, Indianapolis, 1997), pp. 68–71.

⁴⁵ U. Kosińska, 'Idea suwerenności i niepodległości Rzeczypospolitej w wystąpieniach sejmowych czasów Augusta II', in A. Grześkowiak-Krwawicz (ed.), *Najwyższa Pani swoich praw... Idee wolności, suwerenności i niepodległości Rzeczypospolitej 1569–1795* (Muzeum Historii Polski, Warszawa, 2019), p. 203.

⁴⁶ *Ibid.*

the Sejm was postponed, preserving the up to then passed constitutions and the validity of the deputies' mandates, while the gathered participants did not decide to continue Sejm procedures.⁴⁷ Nevertheless, the Sejm was of enormous importance for bolstering the power wielded by Augustus II, who decided to conduct an emancipatory policy *vis a vis* Peter I. The Russian envoy Grigory Dolgoruky was unable to break up the Sejm; more, he was authentically distraught by the growing authority of Augustus II among the deputies. This was certainly an opportune occasion to exploit the anti-Russian attitude of the nobility in the Chamber of Deputies.⁴⁸ The international situation and the signing by Saxony of the anti-Russian treaty of Vienna (5 January 1719) became the reason why Russia attempted at all cost to disrupt the successive Sejm to be held in Warsaw, a feat it unfortunately accomplished. The pretext for breaking up the debates was the handing of command over foreign contingents to Jakub Henryk Flemming (1667–1728), a trusted minister of Augustus II.⁴⁹ The winter Sejm (between 30 December 1719 and 23 February 1720) was thus disrupted due to Russian-Prussian inspiration. By winning over hetmans dissatisfied with the limitation of their rights (the outcome already of the constitutions passed by the Silent Sejm) both Grigory Dolgoruky and the Prussian envoy in the Commonwealth, Count Wilhelm Possadowski, forbade the inclusion of the Commonwealth into the Viennese alliance.⁵⁰ At the time numerous deputies did not as yet perceive the threat posed by Russia for the sovereignty of the state.⁵¹ A similar fate was shared by successive Sejms held in 1720 (30 September – 9 November) and 1722 (5 October – 12 November), also broken up due to Russian inspiration. At this time the independence of the foreign policy of Augustus II became gravely limited.⁵² Hope of sorts could have been offered by the success of the Warsaw Sejm of 1724, which according to the conception harboured by Peter I was also to be disrupted by deploying familiar reasons: the army command of Jakub Henryk Flemming, a planned enlargement of the army, and the question of the Courland fiefdom. Augustus II succeeded, however, in achieving an agreement with the hetmans. The parliamentary assembly, which lasted from 2 October to 13 November under Marshal Stefan Potocki (1665–1730), Crown Referendary, was postponed, and hence the destructive plans pursued by Peter I remained unrealised, at least for the time being.⁵³

⁴⁷ R. Kołodziej, 'Sejm z 1718 roku na tle pierwszych sejmów grodzieńskich. Uwagi na temat wybranych elementów procedury sejmów w Grodnie', in A. Perlakowski, M. Wyszomirska, M. Zwierzykowski (eds), *W podróży przez wiek osiemnasty... Studia i szkice z epoki nowożytnej* (Księgarnia Akademicka, Kraków–Poznań–Toruń, 2015), pp. 46–48.

⁴⁸ Kosińska, *Sejm 1719–1720*, p. 266.

⁴⁹ More extensively in J.A. Gierowski, 'Europa wobec unii polsko-saskiej', in H. Bułhak, A. Koryn, P. Łossowski, M. Nowak-Kielbikowa, Z. Wójcik (eds), *Z dziejów polityki i dyplomacji polskiej. Studia poświęcone pamięci Edwarda hr. Raczyńskiego, prezydenta Rzeczypospolitej Polskiej na uchodźstwie* (Wydawnictwo Sejmowe, Warszawa, 1994), pp. 56–67; Kriegseisen, 'Zmierzch staropolskiej polityki', p. 19.

⁵⁰ Kriegseisen, *Sejm Rzeczypospolitej*, p. 140; Ciesielski, 'Zabiegi hetmanów', p. 73.

⁵¹ Kosińska, 'Idea suwerenności', pp. 206–07.

⁵² Ead., 'Liberum veto jako narzędzie', p. 137.

⁵³ Sejm constitutions in VL, vol. 6, pp. 206–08.

Nevertheless, it is difficult to resist the impression that the Russian-Prussian alliance aimed against the Sejm of the Commonwealth in 1718–22 and profiting from inner tension whose origin could be sought also in the period preceding the Silent Sejm, caused the several years long paralysis of the Polish Parliament.⁵⁴ Indeed, Augustus II in any case encountered considerable distrust of the society of the nobility, but Russia was incapable of achieving changes on the Polish throne by resorting to force, e.g. with the assistance of the confederated nobility; this was the reason why it initiated a years-long destruction campaign against all attempts at reforms aimed at an amendment of the Polish-Lithuanian state conducted by the Sejm.

In the history of Polish parliamentarianism the middle of the second decade of the eighteenth century offered hope for overcoming the crisis. I am of the opinion that this is a justified view, especially if we take into consideration the Sejm of 1724 and the subsequent assembly in Grodno (1726). It was precisely the Grodno Sejm that is one of the most significant and perhaps underestimated assemblies during the reign of King Augustus II. It was also the last to be convened in an ordinary course during the Saxon era.⁵⁵ The Sejm in question debated on several essential questions of international significance: the election of Maurice, Count of Saxony (1696–1750), the illegitimate son of Augustus II, to the throne in Courland, the intrusion into the affairs of that duchy by Alexander Menshikov (1673–1729), a favourite of Empress Catherine I (1685–1727), as well as assorted vacancies. Fortunately, the lack of cooperation between Prussian and Russian envoys attempting to break up the Sejm became the reason why the debates ended successfully. The deputies managed to pass an extremely important *correctum* of the Crown and Lithuanian Tribunal,⁵⁶ and intended to dispatch to Courland (in 1727) a special commission to examine the feud and introduce a prohibition of the postponement of Sejms.⁵⁷

VIII. Under foreign impact. 1728–33

The second half of the 1720s brought a fundamental change to Polish parliamentarianism within its international context. France and the Empire devoted more attention to developments on the Sejm forum in the Commonwealth. This fact was associated with the policy conducted by Augustus II, who during the last years of his life resigned

⁵⁴ On the attitude of the nobility to events from 1716–17 see U. Kosińska, 'Stosunek szlachty na sejmach 1718–1720 do postanowień traktatu warszawskiego i Sejmu Niemego', in M. Zwierzykowski (ed.), *Sejm Niemy*, pp. 266–85.

⁵⁵ Michalski, 'Sejm w czasach saskich', p. 320.

⁵⁶ A project of the *correctum* was prepared much earlier; see *ibid.*, pp. 327–28. See also monograph by J. Michalski, *Studia nad reformą sądownictwa i prawa sądowego w XVIII wieku*, parts 1–2 (Zakład Narodowy im. Ossolińskich, Warszawa, 1958).

⁵⁷ Constitutions see in VL, vol. 6, pp. 208–53; W. Czapliński, *Dzieje sejmu polskiego do roku 1939* (Wydawnictwo Literackie, Kraków–Wrocław, 1984), pp. 64–65.

from attempts at reforming the state and reinforcing his rule for the sake of guaranteeing the Polish throne for his only legitimate son, Friedrich August II (1696–1763). France did not want to allow an election of a successive member of the Wettin dynasty, and the Empire was interested in maintaining an unchanged system in Poland. Moreover, the 1720s witnessed the emergence of factions that several years later were to dominate on the political scene of the Commonwealth: the ‘Familia’ of the Czartoryskis and republicans (*Republikanci*, a party in opposition to Russia and the royal court) headed by the Potockis. Their rivalry was discernible already at the Sejm of 1729 (22–27 August), when under the pretext of distributing hetman offices the assembly was disturbed upon the initiative of the new tsarist envoy in Poland: Sergey Dolgoruky (1697–1739). It was at this Sejm that the French ambassador Antoine-Felix de Monti (1684–1738) established close contacts with the Potockis – in the coming years their consequences affected the course of the successive disrupted Sejm of 1730 (2–16 October), which too failed due to the dispensation of hetman offices.⁵⁸ All four hetmans (Crown and Lithuanian) died in 1726–30, and Augustus III intended to present the great Crown mace (called *bulava* or, in Polish, *bulawa*) to Stanisław Poniatowski (1676–1762), best predestined to hold this office, father of the future king, and one of the leaders of the Familia. This decision was opposed by the Potockis, supported by Russian, imperial, and French diplomacy.

The successive Sejm held during the lifetime of Augustus III, convened in 1732 (18 September – 1 October), also ended in failure. The fact that this was the time of improved Dresden-Paris contacts proved to be of slight consequence. For several years the diplomacy of Louis XV Bourbon (1710–74) observed an unaltered principle, namely, that all Sejms during the Wettin reign should be broken up.⁵⁹ On the other hand, the Russian envoy Friedrich Kasimir von Löwenwolde (1692–1769) followed instructions issued by the tsarina, stressing distinctly that if attempts at disrupting the Sejm were to fail then an anti-royal confederation should be established in Lithuania.⁶⁰ The outcome of the informal Russian-Prussian-French alliance intent on destroying Polish Sejms, noticeable in 1729–32, proved fatal.⁶¹

The last assembly involving the presence of the monarch was the January Sejm of 1733. Unfortunately, Augustus II did not live to see its end and died in the early hours of 1 February 1733. Interestingly, Russia did not manage to disrupt the debates already at their beginning. Contrary to expectations the imperial diplomat Heinrich von Wilczek (1665–1739) did not demonstrate a willingness to cooperate and it was difficult to predict the future course of events. Despite the king’s death the royal court, however, was unable to take advantage of this favourable political situation.⁶²

⁵⁸ The king recalled the Sejm of 1728 owing to his grave illness. Kriegseisen, *Sejm Rzeczypospolitej*, p. 143; Kosińska, ‘*Liberum veto jako narzędzie*’, pp. 145–46.

⁵⁹ Michalski, ‘Sejm w czasach saskich’, p. 340; Kosińska, ‘*Liberum veto jako narzędzie*’, pp. 151–52.

⁶⁰ Kosińska, ‘*Liberum veto jako narzędzie*’, p. 153.

⁶¹ *Ead.*, ‘Idea suwerenności’, pp. 211–12.

⁶² *Ead.*, ‘*Liberum veto jako narzędzie*’, p. 156.

IX. Polish parliamentarianism in 1696–1733: an assessment

A summary of Sejms from the 36 years long reign of Augustus II is by no means an easy task. An immense role was certainly played at the time (to 1726) by Sejm adjournments, which made it possible for the Sejms of 1712–13 and 1719–20 to take place even though ultimately they were broken up.⁶³ Successful conventions were held in 1699, 1703, 1710 (General Council of Warsaw), 1718, 1724, and 1726 – quite a lot for restless times. The legislative achievements of the Sejms were, in my opinion, also satisfactory, the most effective being the Lublin Sejm of 1703 and the Silent Sejm of 1717. Numerous extremely important resolutions were passed by the pacification Sejm in 1699 and the Sejm of Grodno in 1726, and distinctly less by conventions in 1712 and 1718.⁶⁴ These resolutions, apart from fundamental issues (political system, treasury, army, ethnic minorities⁶⁵), pertained also to extremely petty questions of local significance, as can be seen particularly in the case of the Sejm of 1717.⁶⁶

It would difficult to agree with opinions claiming that the period of the Great Northern War (1700–21) did not constitute a special caesura in the development of parliamentarianism in the Commonwealth of olden days.⁶⁷ It was precisely this war waged on Commonwealth land that provided a premise for the application of certain legal solutions (e.g. adjournments or confederations), which presumably were to protect the Sejm against destruction. Indeed, those intentions were not fully realised, but that is already an entirely different problem.

X. In the face of diarchy and the pacification of the country. Sejms in 1733–36

The *interregnum* after the death of Augustus II (1733–36) was one of the most tumultuous in the history of the Commonwealth. It was then that Russian intervention for the first time decided about the outcome of an election. Inasmuch as one could have misgivings whether in 1697 the election field witnessed the victory of Prince of Conti or Augustus II, such doubts cannot be expressed regarding the events of

⁶³ J.A. Gierowski, *Między saskim absolutyzmem a złotą wolnością. Z dziejów wewnętrznych Rzeczypospolitej w latach 1712–1715* (Zakład im. Ossolińskich, Wydawnictwo PAN, Wrocław, 1953), p. 133; Olszewski, *Sejm Rzeczypospolitej epoki oligarchii*, pp. 428–31.

⁶⁴ H. Suchojad, 'Sejmy i zjazdy walne czasów wojny północnej', in J. Muszyńska (ed.), *Rzeczpospolita w dobie wielkiej wojny północnej* (Wydawnictwo Akademii Świętokrzyskiej, Kielce, 2001), p. 108.

⁶⁵ For interesting accomplishments of the Sejm 1697–1733 in reference to the Jewish population living in the Polish-Lithuanian state see J. Krupa, 'Parliamentary Acts Concerning the Jews in the Polish Commonwealth during the Reign of King August II the Strong (1697–1733)', *Scripta Judaica Cracoviensia*, vol. 1 (2002), 53–64.

⁶⁶ Suchojad, 'Sejmy i zjazdy walne', pp. 109–11.

⁶⁷ *Ibid.*, p. 103.

September 1733, immortalised in numerous artworks.⁶⁸ Both the convocation Sejm (27 April – 23 May 1733) and the election Sejm (25 August – 28 September) were *de facto* insignificant for actual political solutions. Indeed, the winner of the election was Stanisław Leszczyński, and the Saxon pretender secured the support of a small number of the nobility, but it was the member of the Wettin dynasty who enjoyed the backing of the 60,000-strong corps of the Russian army under the command of generals Burkhard Christoph von Münnich (1683–1767) and Peter von Lacy (1678–1751), who crossed the borders of the Commonwealth. In this manner Anna Ivanovna Romanova (1693–1740) realised her political plan, which left no room for Stanisław Leszczyński. Nonetheless, it must be admitted that such Russian undertakings were facilitated by the deep division within the society of the nobility.⁶⁹ The coronation of Augustus III took place on 17 January 1734 at the Wawel cathedral. Naturally, it was not recognised by the supporters of Stanisław Leszczyński, and thus the Commonwealth once again entered into a period of diarchy.

The new ruler attempted to pacify the prevailing atmosphere but for almost three years the Commonwealth remained immersed in a civil war (1733–36). The Sejm convoked in Warsaw (27 September 1735) was conceived as a pacification Sejm and was broken up on 8 November. Not until Stanisław Leszczyński signed his abdication papers (January 1736) and all hope for effective French intervention vanished did a chance for calming the situation within the country become realistic.

This feat was to be accomplished by the Sejm of Warsaw (25 June – 9 July 1736), with Field Scribe of the Crown Wacław Rzewuski (1706–79) elected marshal. Although the convention debated in the presence of Saxon and Russia armies it resulted in a reconciliation of the monarch and the nobility, in particular those noblemen who up to then supported Stanisław Leszczyński. Despite the sometimes heated discussions caused by, i.a. demands for the evacuation of the Saxons and Russians from the Commonwealth or controversies concerning the form of an amnesty for the adherents of Stanisław Leszczyński, the Sejm ended favourably.⁷⁰ It delineated the trend of changes, and a pertinent discussion dominated future gatherings held in the 1740s. This tendency included the so-called expansion of the army, a request present at successive Sejms at least from 1726 on.⁷¹ The need to carry out this reform, which, after all, was not restricted exclusively to increasing the army in the Commonwealth but was also to pertain to a reform of the tax system, was perceived in particular during the *interregnum* while

⁶⁸ J. Lileyko, 'Sejmy elekcyjne jako podstawowa cecha stołeczności Warszawy w Rzeczypospolitej szlacheckiej', in M.M. Drozdowski (ed.), *Warszawa w dziejach Polski. Materiały sesji naukowej zorganizowanej przez Obywatelski Komitet Obchodów 400-lecia Stołeczności Warszawy, Polską Akademię Nauk i Towarzystwo Miłośników Historii, 15–16 maja 1996 roku, Zamek Królewski w Warszawie* (Wydawnictwo Instytutu Historii PAN, Warszawa, 1998), pp. 29, 32–33.

⁶⁹ On the shaping of political camps in Lithuania during the elections era see A. Lisek, 'Litwini na sejmie elekcyjnym w 1733 roku', in J. Kwak (ed.), *Z dziejów XVII i XVIII wieku. Księga jubileuszowa ofiarowana Profesorowi Michałowi Komarzyńskiemu* (Wydawnictwo Uniwersytetu Śląskiego, Katowice, 1997), pp. 138–54.

⁷⁰ Palkij, *Sejmy*, pp. 49–50.

⁷¹ M. Drozdowski, 'Działalność budżetowa', p. 136; Palkij, *Sejmy*, pp. 124–25.

noticing the grave languishing of the organisation and training of the army. By resorting to a suitable constitution the Sejm established commissions (Crown, headed by Primate Teodor Potocki, and Lithuanian, headed by Great Hetman of Lithuania Michał Serwacy Wiśniowiecki), whose tasks entailed devising a reform plan.⁷² The Crown commission debating prior to the Sejm of 1738 created a document that became the foundation of further discussions and projects concerning the expansion of the army.⁷³ In the case of the Lithuanian commission one cannot speak about a positive end of its debates since the rivalry of magnate factions made constructive activity impossible.⁷⁴ Moreover, it must be kept in mind that Russia, which played an increasing role in the domestic and foreign policy of the Commonwealth, decidedly opposed the increase of the Polish and Lithuanian army and wished at all costs to thwart the work of the commission and the Sejm of 1738.⁷⁵

XI. Struggle for a treasury-army reform. 1738–48

Despite the fact that the ordinary Sejm held in Warsaw in 1738 (6 October – 17 November) under Marshal Kazimierz Rudziński (1676–1759), Starosta of Kruszwica, ended without passing resolutions due to the resistance of deputies from Volhynia, supported by the Potockis, it still remained significant. It was precisely owing to this gathering that the Czartoryskis became closer to the royal court and slowly turned into a pro-royal and reformist faction, a process ultimately achieved in 1742–43. The expansion slogans proclaimed in the course of the debates were supplemented by extremely rational opinions mentioning the necessity of combining the increase of the army with an impulse for economic progress (trade) and a reform of the finances. Augustus III certainly achieved the possibility for a rapprochement with Russia and coming to terms as regards the Austrian succession, which ultimately resulted in signing a secret agreement with Anna Ivanovna Romanova.⁷⁶ To a certain degree this Sejm delineated tasks for the next gathering planned for 1740. They included, i.a. ensuring domestic order, expanding the army, securing suitable means for this purpose, and, finally, introducing order in state-owned landed estates.⁷⁷ Further demands mentioned an absolute evacuation of Russian armies stationing in Poland.

⁷² VL, vol. 6, Constitution ‘Kommissya do ułożenia aukcyi wojska’, pp. 322–23. For remaining constitutions: *ibid.*, pp. 282–322, 323–29. More extensively on the composition of the commission and its work: H. Palkij, ‘Prace komisji aukcji wojska w latach 1736–1738’, *Kwartalnik Historyczny*, vol. 106, no. 1 (1999), 21–24.

⁷³ *Ibid.*, p. 29.

⁷⁴ *Ibid.*, p. 40.

⁷⁵ Z. Zielińska, ‘Rosja wobec polskich planów aukcji wojska w 1738 r.’, *Kwartalnik Historyczny*, vol. 107, no. 3 (2000), 24. Hieronim Krawczak wrote more extensively about plans for the expansion of the army during the reign of August III, although in places some of his findings are already no longer topical; see *id.*, ‘Sprawa aukcji wojska za panowania Augusta III’, *Studia i Materiały do Dziejów Wojskowości*, vol. 7, part 2 (1961), 3–44.

⁷⁶ Palkij, *Sejmy*, p. 214.

⁷⁷ *Ibid.*, p. 215.

Unfortunately, the Sejm convened in Warsaw in 1740 (3 October – 13 November), whose elected marshal was Kazimierz Karwowski (1670–1746), Pantler of Bielsko, became the victim of obstruction on the part of the republican faction. Although projects of tax constitutions were ready the Potockis benefitted from controversies between deputies from Greater Poland and representatives of Ukrainian voivodeships demanding fiscal reductions and achieved a situation in which the Sejm scattered without accomplishing any sort of resolutions.⁷⁸

The decisive battle waged for the sake of a treasury-army reform, however, was to take place in 1744 at the time of the Grodno Sejm (5 October – 19 November). This was one of the few Saxon-era conventions discussed in extensive literature on the subject. The alliance of the court and the Familia was to guarantee success and neutralise the impact of the republicans. Projects of future changes (resolutions) were prepared by the supporter of the Familia, Mikołaj Podoski (1676–1762), Voivode of Płock. For quite some time historians were of the opinion that the convention had every chance of succeeding.⁷⁹ Unfortunately, it was broken up and the reasons for this fact remained for long unclear, thus providing a breeding ground for assorted, sometimes outright improbable interpretations.⁸⁰ The causal force destroying the Sejm of Grodno in 1744 was Russia, which regarded every attempt at inner reinforcement and state reform as unacceptable.⁸¹ The Sejm thus dispersed without having passed any resolutions, and it should be kept in mind that apart from the expansion of the army, which remained a supreme issue, it was also supposed to have dealt with a reform of the administration and judicature as well as to lead towards a close alliance with Russia.⁸²

Two years later, in an atmosphere created by the Russian threat and in the wake of a signed Warsaw alliance aimed against Friedrich II Hohenzollern and involving Saxony, Great Britain, the Empire, and the Netherlands, Augustus III convoked a successive Sejm. The sitting began on 3 October and lasted to 14 November 1746. The deputies managed to elect a Sejm marshal – Aleksander Lubomirski (1718–82), Starosta of Kazimierz and supporter of the republicans. Once again the opposition prolonged the debates until the Sejm departed in view of the deputies' protests against a proposal of candlelight debates; unquestionably, the *spiritus movens* of breaking the Sejm up was Antoni Michał Potocki (1702–66), Voivode of Beltz (Bełż).⁸³ This Sejm, however, took place in a decidedly worse domestic situation. The most trusted royal minister –

⁷⁸ Kriegseisen, *Sejm Rzeczypospolitej*, p. 154.

⁷⁹ Konopczyński, *Fatalny sejm*, pp. 109–26.

⁸⁰ J. Staszewski, 'Co się wydarzyło na sejmie w Grodnie w 1744 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. 276–77.

⁸¹ More extensively in: Z. Zielińska, 'Rosja wobec polskich prób reform w latach 1738–1744', in *ead.*, *Studia z dziejów stosunków polsko-rosyjskich w XVIII wieku* (Wydawnictwo Naukowe Semper, Warszawa, 2001), pp. 9–59.

⁸² Gierowski, *Między saskim absolutyzmem*, p. 133; H. Olszewski, *Sejm Rzeczypospolitej epoki oligarchii*, pp. 428–31.

⁸³ Kriegseisen, *Sejm Rzeczypospolitej*, p. 158.

Heinrich von Brühl (1700–63) – was of the opinion that Augustus III should involve himself much less in Polish affairs and concentrate his attention and efforts on the reconstruction of Saxony, devastated by Russia. On the other hand, the Familia and its adherents were no longer determined to such a degree to salvage the Sejm at all cost.

The successive assembly in 1748 (30 September – 9 November) closes the definitive period of a struggle waged for the sake of an army-treasury reform. This time the royal court entrusted the Familia with steering the Sejm and responsibility for its favourable course. Reform projects, which appeared in public space and whose authors were associated with the Familia or the latter's leaders: Michał Fryderyk Czartoryski (1696–1775), Vice-Chancellor of Lithuania, or Andrzej Stanisław Załuski (1695–1758), Bishop of Cracow, and which were already discussed in pertinent literature, indicate very clearly the reformist movement existing amongst at least part of the political elite.⁸⁴ Unfortunately, as in the case of previous gatherings, this Sejm too dispersed without passing any sort of resolutions.

While assessing events in the parliamentary life of the Commonwealth in the course of the 1738–48 decade it must be said that they constituted the last, and regrettably, wasted chance for reforming the state. The Czartoryskis, the court, and a certain part of the political elite were favourably inclined towards changes and willing to support them, but the prime obstacle involved both the resistance of the opposition (the Potockis) and – conceivably predominantly – the hostility of Russia, at the time a prime force affecting the domestic policy of Poland. In other words, it was impossible to rely on any sort of transformations capable of reinforcing the inner position of the Commonwealth and, as a consequence, of regaining total sovereignty on the international arena.

XII. Atrophy of the Sejm, helplessness of the royal court, and particularism of the great families 1750–62

In 1738–48, Sejms became the victims of activity pursued by the republicans headed by the Potockis, incapable of accepting the position held by the Czartoryskis as a court faction. It was decided, therefore, to opt for an extraordinary mode of proceedings. In 1750 Augustus III convoked the Sejm in Warszawa, which conducted debates on 4–8 August. Unfortunately, after not quite two weeks it was broken up due to protests expressed by Antoni Wydźga, Pantler of Grabowiec. Two years later the same fate befell the Sejm in Grodno (2–26 October 1752), disrupted by Kazimierz Morski, Treasurer of Sochaczew.

A total collapse of good parliamentary practice and thus of political culture, conspicuous at the end of the 1740s and during the early 1750s, went hand in hand with political changes within the state. In the wake of the Sejm of 1752 the royal court realised that it had become necessary to seek paths of an understanding with the republican opposition

⁸⁴ M. Wyszomirska, 'Anonimowe projekty reformy Rzeczypospolitej przed sejmem *boni ordinis* z 1748 roku', *Studia Historyczne*, vol. 48, no. 2 (2005), 151–65.

and to create a party of its own. This decision coincided with the gradual distancing themselves of the Familia from royal politics, resulting in a severance of ties with the court and joining the opposition (c. 1753). From that moment the Familia became an openly pro-Russian faction, whose supreme target was to place its candidate on the throne with the support of Russia.⁸⁵ On the other hand, the royal court, and in particular Heinrich von Brühl, began creating a faction of its own, whose pillar was von Brühl's son-in-law Jerzy August Wandalin Mniszcz (1715–78), Court Marshal of the Crown.

The effects of those transformations were visible already at the Sejm convoked in Warsaw on 30 September 1754. A year earlier the Commonwealth witnessed a division of landed estates formerly belonging to the princes Ostrogski (the so-called Entail of Ostrog). From 1721 the administrator of the estate was Paweł Karol Sanguszko (1680–1750), Court Marshal of Lithuania. After his death, the Czartoryskis, together with other magnate families, split the estates (the so-called Kolbuszowa transaction). This decision produced dissatisfaction among those who had been excluded from the division. The Sejm inaugurated its work with a clash concerning the estate – and this became the reason why the Czartoryskis ceased being concerned with maintaining the debate and on 12 November broke up the Parliament, fearing the annulment of the records of the Kolbuszowa transaction.⁸⁶ The second half of the 1750s and the beginning of the next decade constitute probably the most depressing image of the total disintegration of the Polish Sejm. Parliamentary assemblies in 1758 (2–11 October) and 1760 (6–13 October), the extraordinary Sejm of 1761 (27 April–2 May) and, finally, the last Sejm during the lifetime of Augustus III, debating in Warsaw on 4–7 October 1762, were broken up. The reasons varied and included tolerating the presence of Russian armies in the Commonwealth in the course of the Seven Years' War (1756–63), accusations against the court concerning projects of a *vivente rege* election, oversight in Sejm procedures (order of precedence of particular provinces) or, as in case of the Sejm in 1762, a grant of nobility illegally obtained by Alojzy Fryderyk Brühl (1739–93), son of Heinrich von Brühl. Piquancy is added by the fact that the assembly was disrupted by Stanisław A. Poniatowski, two years later elected ruler of the Commonwealth.

The year 1762 definitively closes the period of the functioning of the Sejm under the Saxon dynasty. Augustus III died in Dresden on 5 October 1763, and the successive Sejm planned for that year never took place.

XIII. Senate councils

During the Saxon period the Senate played an extremely essential role: it was a component of the legislature, fulfilled the function of a royal council, and, finally, constituted part of the judiciary (the senators sat in the Sejm court). Considerable importance was

⁸⁵ This candidate was Stanisław Antoni Poniatowski (1732–98), later King Stanisław August Poniatowski of Poland.

⁸⁶ Michalski, 'Sejm w czasach saskich', pp. 339–40.

attached to so-called senators-residents, constantly present at the side of the monarch, making numerous decisions, and advising the king. During the reign of Augustus II senators-residents were dominated by supporters of the monarch's policy – essential from the viewpoint of royal authority, since for almost 15 years (1702–17) the Commonwealth functioned *sub vinculo confoederationis* and within that political system both the king and the senators were capable of realising their policies without greater hindrances. Almost from the very beginning of the reign of Augustus II paresis of the Sejm and constant inner tension in the country favoured the expansion of the competence of Senate councils. Only the first councils, convoked by the monarch in 1697–98, could be recognised as advisory assemblies.⁸⁷ This situation changed at the time of the Great Northern War, in particular in 1700–02, when the ruler, wishing to subjugate the Senate councils, encountered the strong resistance of certain senators, headed by Primate Michał Stefan Radziejowski.⁸⁸

Naturally, we must keep in mind that the competences of Senate councils were always restricted by the rights enjoyed by the Sejm. Research conducted by Mariusz Markiewicz shows distinctly that under Augustus II and Augustus III decisions made by councils pertained actually to the most significant domains of public life: the system, the army, diplomacy, religion, finances, economy, judiciary, crafts, transport, order in towns (e.g. in Warsaw), etc. At the time of an almost total paralysis of the legislature the councils in question were probably the sole central organs that acted efficiently, and their resolutions were implemented by organs of local administration (sejmiks). Moreover, numerous royal decisions were consulted with the councils, since this was the way in which the monarch wanted to buttress his policy by resorting to the authority enjoyed by the senators.⁸⁹

Senate councils indubitably became part of the political landscape of the Commonwealth (at least at the time of Augustus II). Their large number and the scale of the problems with which they dealt were the reasons why sometimes they were correctly perceived as a 'substitute' Sejm or even a government. Upon occasions the problem range of the senator councils was so essential that it was decided to hold secret debates, as was the case prior to the Sejm of Grodno in 1744.⁹⁰

Senator councils, however, did not become a permanent institution. Their activity was directly proportionate to that of the ruler, who could convoke them at a time he deemed suitable. A special role was played by so-called *antekomicjalne* (ante-Sejm) councils, which constituted a *sui generis* test of the popularity of royal policy and the monarch himself. Suggestions forwarded by the senators (so-called *deliberatoria*) became the foundation of constructing subsequent proposals from the throne. After completed Sejm debates the ruler convoked *postkomicjalne* (post-Sejm) councils,

⁸⁷ J. Poraziński, 'Funkcje polityczne i ustrojowe rad senatu w latach 1697–1717', *Kwartalnik Historyczny*, vol. 91, no. 1 (1984), 26.

⁸⁸ *Ibid.*, 28–29.

⁸⁹ M. Markiewicz, 'Rady senatu za Augusta III', *Zeszyty Naukowe Uniwersytetu Jagiellońskiego. Prace Historyczne*, vol. 714, no. 77 (1985), 87.

⁹⁰ *Ibid.*, 72.

whose composition was, as a rule, slightly more extensive since apart from the king and the senators they included invited deputies.⁹¹

In the course of the debates held by the councils and concluding the resolutions, when the attending senators voted, the binding principle for making decisions was that of a majority vote. The manner of holding the debates and, primarily, their topics were determined by the king and from this vantage point his decisions remained totally sovereign and independent of the Senate.⁹² During the Saxon era senator councils also gained a lavish setting and ceremony similar to that of the Sejm.⁹³

It must be, however, kept in mind that Senate councils could never take the place of an efficiently functioning Sejm. They administered the state within a rather specific and limited range, but their resolutions still had to be accepted by the General Sejm in accordance with the demands of legalism. It is also not true, as some researchers suggested, that at this time the General Sejm was not necessary for the Commonwealth if the latter did not conduct a war or did not wish to reform itself, and that it was not indispensable for daily life and the normal functioning of the subjects of the Polish monarch.⁹⁴ It was precisely the Sejm, as a factor essential in the daily life of the Saxon era brimming with sometimes extremely turbulent disputes concerning the conception and direction of the reform of the system and law, that was necessary, since during the eighteenth century strivings towards changes became the stuff of Polish daily life, gradually comprehended by an increasingly large part of nobility society.

XIV. Site of Sejm debates

The principle accepted at the Warsaw Sejm, namely, that every third Sejm should sit in the Grand Duchy of Lithuania, became perpetuated in 1673.⁹⁵ This state of things was confirmed in 1685, with the reservation that it would not pertain to convocation, election, and coronation Sejms. The Sejm town in Lithuania was to be Grodno.⁹⁶

⁹¹ *Ibid.*, 29–30.

⁹² More extensively on the composition and procedure of senatorial council debates: M. Markiewicz, *Rady senatorskie Augusta II (1797–1733)* (Zakład Narodowy im. Ossolińskich, Wrocław, 1988). Extremely interesting comments on the Senate and its role in the legal-political system of the Commonwealth during the modern era in: J. Pietrzak, *The Senate of the Republic of Poland. Tradition and Contemporaneity 15th–21st Cent.* (Chancellery of the Senate, Warsaw, 2011), pp. 13–42.

⁹³ M. Markiewicz, 'Ceremoniał rad senatorskich w czasach saskich', in M. Markiewicz, R. Skowron (eds), *Theatrum ceremoniale na dworze książąt i królów polskich. Materiały konferencji zorganizowanej przez Zamek Królewski na Wawelu i Instytut Historii Uniwersytetu Jagiellońskiego w dniach 23–25 marca 1998 roku* (Zamek Królewski na Wawelu, Kraków, 1999), 291–296. See also Poraziński, *Funkcje polityczne*, pp. 32–33.

⁹⁴ M. Markiewicz, 'Rzeczpospolita bez sejmu. Funkcjonowanie państwa', in K. Stasiewicz, S. Achremczyk (eds), *Między barokiem a oświeceniem. Nowe spojrzenie na czasy saskie* (Ośrodek Badań Naukowych im. Wojciecha Kętrzyńskiego w Olsztynie, Olsztyn, 1996), pp. 175–76.

⁹⁵ VL, vol. 5, ed. J. Ohryzko (Petersburg 1860), Constitution 'Sejm trzeci w Wielkim Xię. Litew.', p. 67.

⁹⁶ *Ibid.*, Constitution 'Utwierdzenie Seymu Grodzieńskiego', p. 344.

During the Saxon era deputies and senators came to Warsaw and debated together with the monarch at the Royal Castle. Only in 1703 did the Sejm gather in Lublin, outside its customary site. The Old Castle in Grodno, reduced to ruins at the time of the Great Northern War, was not suitable for a royal residence and even more so for debates held by deputies and senators; nonetheless, in 1718, 1726, 1730, 1744, and 1752 Sejms did take place in Grodno. The first three were held in the palace of the Sapiehas in the Market Square, adjoining the Jesuit church adapted for a residence of Augustus II. The palace storey contained chambers for deputies and senators. The Sapieha residence was composed of the former palace of Stefan Batory, commonly known as Batorówka, restyled in 1717–18: a north wing and galleries were added thus achieving a connection with the Sejm building.⁹⁷ In 1737–40 – during the reign of Augustus III – a new Late Baroque palace, designed by architect Johann Christoph Knöffel (1686–1752), was erected. One of the buildings contained a royal residence, a Senators' Hall, and a Deputies' Hall; in 1752 a chapel was added to the palace.⁹⁸

XV. General Sejm – only the nobility?

The titular question is fundamental in view of the fact that the established image of the Sejm was that of an institution dominated by the nobility, both magnates and so-called middle nobility. Admittedly, this vision is not far from the truth. During the Saxon era parliamentary debates were attended by representatives of towns, albeit solely as observers, since in the past such centres played a significant political role in the Commonwealth. Take the example of Cracow, whose representatives were entitled to attend Sejm debates owing to their ennoblement. Regardless of the fact that already on a national scale the political position of townspeople deteriorated considerably in the mid-fifteenth century, representatives of such towns as Cracow, Poznań, Lublin or Vilnius (Wilno) continued to dispatch their deputies to parliamentary debates. An overwhelming majority of those representatives had academic education and a rather high financial status.⁹⁹ As a rule, town deputies represented particular interests, e.g. for almost fifty years during the Saxon period Cracow tried to regain 500,000 florins

⁹⁷ J. Lileyko, 'Przebudowa grodzieńskich pałaców Batoriańskiego i Sapieżyńskiego na gmach sejmowy w 1717–1718 roku', in M. and W. Bobercy (eds), *Między Padwą a Zamościem. Studia z historii sztuki i kultury nowożytnej ofiarowane Profesorowi Jerzemu Kowalczykowi* (Instytut Sztuki PAN, Warszawa, 1993), p. 265; W. Szwed, 'Grodzieńskie sejmy Rzeczypospolitej', *Białostoczczyzna*, no. 1 (1998), 30.

⁹⁸ More extensively on this topic: S. Szymański, 'Pałac królewski w Grodnie', *Rocznik Białostocki*, vol. 6 (1966), 306; J. Kowalczyk, 'Pałace i dwory późnobarokowe w mieście sejmowym Grodnie', in J. Lileyko (ed.), *Sztuka ziem wschodnich Rzeczypospolitej XVI–XVIII w.* (Towarzystwo Naukowe KUL, Lublin, 2000), p. 452.

⁹⁹ A. Karpiński, 'Mieszczanie krakowscy na sejmach Rzeczypospolitej w XVI–XVIII w. Zarys problematyki', in I. Dacka-Górczyńska, A. Karpiński (eds), *Spoleczeństwo a polityka*, Series: *Spoleczeństwo Staropolskie. Seria Nowa*, vol. 1 (Wydawnictwo DIG, Warszawa, 2008), p. 49.

which it granted to the king at the time of the war with Sweden.¹⁰⁰ Very often, the burghers, well aware of their slight impact, attempted to apply various methods to influence the deputies (also by resorting to corruption) and persuade them to deal benevolently with town postulates. Findings made by Andrzej Karpiński show that during the Sejm of Grodno in 1752 two Cracow envoys (Karol Toriani and Michał Wohlman) spent almost a month paying visits to 32 persons, including secular and ecclesiastical senators, members of the clergy, and ministers in an attempt at winning their favour for Cracow.¹⁰¹ Deputies from Poznań took part in debates held in 1701, 1712, 1718, 1720, 1724, 1735, and 1738.¹⁰² Burghers from Lublin, whose activity Jerzy Reder studied already in the 1950s, attended the pacification Sejm of 1699, the election Sejm of 1733, and ordinary Sejms during the reign of Augustus II in 1738, 1744, 1746, and 1761.¹⁰³

Generally speaking, it must be admitted that in the first half of the eighteenth century the activity pursued by town deputies remained rather limited. The reason lay partly in their political status as well as passive conduct in the Chamber of Deputies. The deputies remained concentrated exclusively on the interests of the towns they represented; an additional difficulty was almost total dependence upon nobility protectors. Another factor was the absence of a joint, as wide as possible, representation of towns in the Sejm. This state of things did not change until the end of the eighteenth century – the time of the Four-Year Sejm, which in 1791 passed the so-called Act of *Our Royal Free Towns within the Dominions of the Commonwealth*.

XVI. End remarks

The fundamental question that an historian dealing with the eighteenth century must ask concerns the crisis of the Sejm, the most important legal-systemic element of the Commonwealth. An analysis of political treatises of the period, i.a. works by Stanisław Dunin-Karwicki,¹⁰⁴ Stanisław Leszczyński,¹⁰⁵ and Stanisław Konarski,¹⁰⁶ indicates that the foundation of this crisis was noticed. All significant political authors

¹⁰⁰ *Ibid.*, p. 51.

¹⁰¹ *Ibid.*, p. 60.

¹⁰² M. Mika, 'Udział Poznania w sejmach Rzeczypospolitej od końca XV w. do 1791 r.', *Studia i Materiały do Dziejów Wielkopolski i Pomorza*, vol. 6, no. 2 (1960), 273.

¹⁰³ J. Reder, 'Posłowie miasta Lublina na sejmy dawnej Rzeczypospolitej', *Czasopismo Prawno-Historyczne*, vol. 6, no. 2 (1954), 267–68.

¹⁰⁴ S. Dunin-Karwicki in A. Przyboś, K. Przyboś (eds), *Dzieła polityczne z początku XVIII wieku* (Zakład Narodowy im. Ossolińskich, Wydawnictwo PAN, Wrocław–Kraków, 1992).

¹⁰⁵ *Głos wolny wolność ubezpieczający przez Stanisława Leszczyńskiego, króla polskiego, wielkiego księcia litewskiego &.&. Księcia Lotaryngii i Baru*, ed. K. Turowski (Wydawnictwo Biblioteki Polskiej, Kraków, 1858).

¹⁰⁶ S. Konarski, *O skutecznym rad sposobie albo o utrzymaniu ordynaryjnych sejmów* (Drukarnia JKM y Rzpłtey u XX. Scholarum Piarum, Warszawa, 1760).

treated the reform of the Chamber of Deputies, the Senate, or sejmiks holistically.¹⁰⁷ The point of departure for their proposals of changing the system involved setting right the model of parliamentary procedure.¹⁰⁸ The middle nobility also pointed out the progressing decline of the Polish Parliament. Henryk Olszewski was right claiming that the Saxon period lacked political forces interested in the introduction of basic changes into parliamentary practice, e.g. the majority vote.¹⁰⁹ The most important was for the Sejm not to pass any resolutions detrimental to the interests of the nobility and to preserve the existing good laws and customs, perceived as a guarantee of liberty. After all, the Sejms of the Saxon era paradoxically left behind an extremely extensive legislative legacy, as testified by constitutions passed by the Silent Sejm of 1717 or the Sejm of Grodno in 1726.

The Polish Sejm was not the only legislative institution to undergo a crisis.¹¹⁰ No legislative changes took place in the functioning of the Sejm court, which adjudicated on the most important criminal and civil cases in the Commonwealth. Its activity, closely dependent on the Sejm, also became restricted. Indeed, Sejm courts held sittings at the time of conventions in 1742, 1744 and 1746 (at least indicated by the sources), but *de facto* they ceased their normal course of activity, provided for by law. Not until 1775 did a reform of the Sejm court introduce an essential transformation in its functioning.¹¹¹

We should also view the significance of the Sejm during the Saxon era *via* its role in the process of social communication and as a *sui generis* school of politics. Numerous persons gathered in a single place and at the same time enjoyed a chance for free and unconstrained social contact. An overwhelming number of the deputies was elected at sejmiks for the first time, and thus interactions with experienced parliamentarians, ministers or senators offered an opportunity for becoming acquainted with the parliamentary ‘behind the scenes’. Frequently, however, those least experienced became victims of political games played in the Chamber of Deputies by esteemed professional deputies. The Sejm was also a place with an established order and hierarchy. Lavish Sejm ceremonies (Holy Mass celebrated prior to the inauguration of the debates, the election of a new marshal, kissing the king’s hand, or even breaking up the debates), based on centuries-old tradition, had to, and did, stir both admiration and curiosity among the debating parliamentarians.¹¹² Unquestionably, the ceremonies also favoured the progress of the art of oratory intent on

¹⁰⁷ A. Knychalska, ‘Senat w koncepcjach politycznych publicystów epoki saskiej’, in K. Matwijowski (ed.), *Czasy nowożytne. Studia poświęcone pamięci prof. Władysława Eugeniusza Czaplńskiego w 100 rocznicę urodzin* (Instytut Historii Uniwersytetu Wrocławskiego, Wrocławskie Towarzystwo Miłośników Historii, Wrocław, 2005), pp. 251–60.

¹⁰⁸ Bardach, ‘Sejm dawnej Rzeczypospolitej’, p. 145.

¹⁰⁹ H. Olszewski, ‘Funkcjonowanie sejmu w dawnej Rzeczypospolitej’, *Czasopismo Prawno-Historyczne*, vol. 35, no. 1 (1983), 160.

¹¹⁰ Michalski, ‘Sejm w czasach saskich’, p. 338.

¹¹¹ Z. Szczańska, ‘Sąd sejmowy w Polsce od końca XVI do końca XVIII wieku’, *Czasopismo Prawno-Historyczne*, vol. 20, no. 1 (1968), 98–99.

¹¹² More extensively in: J. Porzinski, ‘Ceremoniał sejmowy w czasach saskich (1697–1763). Zarys problematyki’, in Stasiewicz, Achremczyk (eds), *Między barokiem a oświeceniem*, pp. 27–32.

displaying the skilful style and rhetoric of the speaker.¹¹³ The extremely varied allegorical repertoire constituted an excellent field for research for linguists and literary scholars. For the historian of parliamentarianism, however, it is proof of the increasing pointlessness of discussions at the Sejm forum, which did not offer any sort of a permanent solution to urgent systemic problems; in a certain sense this constitutes proof of the increasingly great significance of the Sejm as a political *theatrum* and not a place of lively discussions whose outcome is an efficiently debating institution making the most important decisions in the land.¹¹⁴

Nevertheless, far be it from me to claim that the Polish Parliament during the reign of the Saxon dynasty was a personification of anarchy and represented solely a negative programme.¹¹⁵ This image became deeply embedded in the historical and political awareness of the Poles, and remains present until this day; additionally, it determines the attitude of West European scholars towards the institution and, as a consequence, influences the implication of foreign scientific literature.¹¹⁶ Many publications resound with echoes of the *Liberum veto*, written by the Cracow-based historian Władysław Konopczyński (1880–1952) and published in French in 1930, a book that for very long served (and still does) in the West as a *sui generis* guide to the history of modern Polish parliamentarianism.¹¹⁷ Unfortunately, Konopczyński depicted the Polish Sejm as a hotbed of demoralisation, corruption, and paralysis of power, a likeness that in the West was accepted as a certainty. Only a few, e.g. Claude Backvis, accused the Cracow historian of one-sidedness and an underestimation of discussions held in both chambers, conceived as a foundation for the civic education of the political nation.¹¹⁸ We should not treat the *liberum veto* phenomenon solely as damaging Polish parliamentary life but also as an element creating a foundation for basic nobility qualities: the right to free speech and statement. It was not *liberum veto*, but rather *liberum rumpo*, i.e. the right to obstruct and break up debates in a given phase of the duration of the Sejm, which took place at, e.g. Sejms held in 1702, 1722, 1738, 1740, or 1744, that was truly menacing because it extremely effectively delayed other procedural activities of the Sejm, such as reading and discussing constitution projects.¹¹⁹

¹¹³ Z. Goliński, 'Orator sarmaticus. Mowy sejmowe doby saskiej wobec staropolskiej sztuki oratorskiej', in Stasiewicz, Achremczyk (eds), *Między barokiem a oświeceniem*, p. 36.

¹¹⁴ *Ibid.*, p. 42.

¹¹⁵ Michalski, 'Sejm w czasach saskich', p. 339.

¹¹⁶ H. Olszewski, 'Sejm Rzeczypospolitej Obojga Narodów', in J. Bardach, in coop. with W. Sudnik, *Spółczesność obywatelskie i jego reprezentacja (1493–1993)* (Wydawnictwo Sejmowe, Warszawa, 1995), p. 72.

¹¹⁷ W. Konopczyński, *Liberum veto. Studium porównawczo-historyczne* (Składy główne: S.A. Krzyżanowski, E. Wende i ska, Kraków–Warszawa, 1918). French edition: *id.*, *Le Liberum veto. Étude sur le développement du principe majoritaire* (Champion, Paris, 1930).

¹¹⁸ C. Backvis, 'Wymóg jednomyślności a wola ogółu', *Czasopismo Prawno-Historyczne*, vol. 27, no. 2 (1975), 166–67; Olszewski, 'Sejm Rzeczypospolitej Obojga Narodów', p. 82.

¹¹⁹ J. Staszewski, 'Jednomyślność a *liberum rumpo*', in S. Ochmann (ed.), *Uchwalanie konstytucji na sejmach w XVI–XVIII wieku* (Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław, 1979), p. 84; Michalski, 'Sejm w czasach saskich', pp. 325–26.

Unfortunately, outstanding individuals, people acquainted with politics and enjoying universal respect and authority who, such as marshals of the Sejm, would be not merely executors of the will expressed by the Chamber of Deputies but steer its activity and prevent its destruction, were lacking.¹²⁰

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¹²⁰ *Ibid.*, p. 312.

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