

**THE 11TH MEETING OF THE ASSOCIATION OF EUROPEAN SENATES,  
THE HAGUE, 17 APRIL 2009**

**An address by the President of the Senate of the Republic of Poland,  
Bogdan Borusewicz**

**“The Role of the Senates on the European Continent”**

Madam President,  
Ladies and Gentlemen,

The eleventh meeting of our Association devoted to the role of the Senates in Europe takes place in a country which is one of the cradles of European democracy and the free market economy. Many historians consider that the Netherlands is the very birthplace of capitalism. At the same time we are in the home country of such European thinkers and humanists as Erasmus of Rotterdam and Johan Huizinga.

The Hague is also the centre and symbol of global justice, where the European Court of Justice and the International Criminal Court have their official seats.

The Netherlands is a pioneer country from the point of view of European integration. Already in May 1944 it was a co-founder of the Benelux Union. In 1951 and 1957 it was establishing the European Communities.

Madam President,  
Ladies and Gentlemen,

A year ago in Vienna Mr Christian Poncelet, the initiator of the establishment of the Association, summed up the activities of the Association to date. He indicated that bicameralism was an attempt to respond to the painful experience related to the modern era in Europe. Political authority requires democratic control as well as checks and balances. In this context it is important that societies are most fully represented in their parliaments.

Absolutisation of proportional democracy leads to oligarchies of political parties. whereas, the civilisational success of Europe was born of the phenomenon of separation of powers. The presence of an upper parliamentary chamber is in fact a systemic security feature. One may say that bicameralism has as many advantages as the principle of instance of courts in the judicial system.

In many European countries upper parliamentary chambers not only enrich the parliamentary representation and provide for a mutual balance

between state authorities, but also legitimise such authorities by means of conferring historical continuity on the state institutions. The Polish Senate, reinstated in 1989, cherishes the many centuries of Polish traditions of democracy and statehood, disrupted in the nineteenth century by the absolutist neighbours and impugned by Nazism and communism in the twentieth century. Similarly, in many European countries Senates bridge tradition with modernity. This, of course, does not mean that the historic forms of upper parliamentary chambers should remain frozen. After the period of wars, nationalisms and communism we should remember about the significance of the continuity of social institutions and social harmony.

Talking about the role of upper parliamentary chambers one should not forget that their systemic positions vary and that there are different ways of electing their members. In some countries upper parliamentary chambers are facing reforms. In principle, lower parliamentary chambers do not have such problems.

Madam President,

Ladies and Gentlemen,

One may confidently say that the *raison d'être* of an upper parliamentary chamber is to be distinctly different from a chamber of deputies. This may be due to the scope of competencies, term of office, way of electing their members, or electoral system. The Polish Senate was revived twenty years ago as an inherent element of a certain political project. In 1989-1991 the Senate held a monopoly as the political representation of the nation. At that time the Sejm [lower house] was tainted by compromise with the former system and did not even aspire to be called the Sejm of the first term of office. After the elections to the Sejm of the first term of office, the Senate lost a part of its significance. Moreover, its resemblance to the chamber of deputies was plain awkward.

Currently there also are discussions in Poland about a possible systemic reform of the state. One of its elements would be the introduction of single-member constituencies for elections to the Senate alongside proportional elections to the Sejm, which are stipulated in the Constitution. Irrespective of the above, there are voices in favour of reducing the number of Members of Parliament and Senators alike. There are farther reaching postulates that the Senate should be not only a chamber of „reflection and prudence” close to the citizens, but also a mainstay of stability and policy continuity, for instance following the example of the Czech Senate.

Personally, I believe that the representation of local communities is a way to reinforce the systemic position of the Senate. Such representation will have to be based on single-member constituencies to the Senate. I am proud to say that the function of the Polish Senate today is that of a reliable legislative fuse. Another opportunity to reinforce the position of the Senate would be to focus on an advance analysis of new legislative initiatives of the European Commission. I mean here Annual Policy Strategies and Green Papers. For these documents escape the attention of the lower chamber. Its body specialising in the EU issues focuses on keeping up with controlling the documents already being processed under the co-decision procedures.

Madam President,  
Ladies and Gentlemen,

According to the Statutes of the Association our aim is "the development of relationships between members, promotion of bicameralism in the framework of parliamentary democracy, and strengthening of European identity and awareness" (Article 2).

This is an aim which resembles the one set forth in the Statute of the Council of Europe, which speaks of achieving a greater unity between the members of the Council "for the purpose of safeguarding and realising the ideals and principles which are their common heritage".

As Mr Christian Poncelet remarked in Vienna, upper parliamentary chambers of European countries had inherited the same civilisational legacy, referred to in the Treaty of Lisbon as the "cultural, religious and humanist inheritance of Europe". However, Europeans are already divided over answering the questions concerning what this inheritance includes, how it is to be assessed and the role of this inheritance for the future of Europe.

At our previous meeting in St. Petersburg in November last year we spoke about the role of our chambers in cultural and intercivilisational dialogue. To have such a dialogue we should first clarify, in the aftermath of communism and Nazism, what the civilisational and cultural identity of Europe is. And a fundamental question: do we want to defend this identity regardless of what from this identity we consider to be worth enduring.

For me there is an open question about specific activities that can be undertaken by our Association in order to reinforce European awareness and identity. In this regard, is it possible and legitimate to initiate cooperation between committees of culture within the framework of the

Association? We are not the representation of Europe, but we can be its conscience.

Dear Ladies and Gentlemen,

Our Statutes speak of reinforcing internal links between the members of the Association, also at the level of parliamentary administrations as well as promoting the idea of bicameralism. I think we are realising these aims. We meet more than once a year, exchange information, hold debates and look for best practices. The Senates of Italy and Poland have recently established long-term cooperation, in particular at the level of parliamentary administrations.

I think though that our Association lacks personal presence in Europe and in the world. From the meeting in Vienna I remember particularly well the statement by Madam President Timmerman-Buck who proposed that the web-site of the Association of European Senates would become its central communication centre. I understand this refers to enlivening and attaching greater significance to the already existing web-site of the Association run by the French Senate.

I fully support the proposal of Madam President and I would like to complement it with a postulate that our meetings be recapitulated in the form of positions or final statements and that stenographic records be made of the deliberations held. It is important to leave a lasting output after the meetings which could inspire our further common activities as well as may become a form of dialogue with the external world.

Thank you for your attention.