The Khmelnytsky uprising: The implications for Jews of their links with the Polish nobility

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Poland was the only country in Central Europe where power over the Jews remained in the hands of the kings until the beginning of the early modern era. This changed with the reign of Zygmunt I, when the political aspirations of the nobility led to the crown ceding its jurisdiction over the Jews who lived on noble estates (according to the statutes of 1539, but in fact, it was a consequence of the Wojna Kokosza – the ‘Hen War’ of 1537). From that time the Jews gradually started to move from the royal cities to towns and villages that belonged to nobility and increasingly became dependent on the protection of landowners, and, in particular of magnates.

The incorporation of Ukraine and Volhynia in the Kingdom of Poland (Korona) after 1569, created new opportunities for both the nobility and the Jews. In the provinces of the Korona (which belonged to the Korona prior to 1569), Jewish expansion encountered the opposition from the burghers, especially in the royal towns prior to 1648. The burghers (merchants and artisans alike) tried to suppress Jewish competition (it should be noted that royal cities fought not only against the Jews, but also other groups not subjected to municipal law, such as the clergy and nobility). It was not a coincidence, that in the second half of the sixteenth and in the first half of the seventeenth century many privileges *de non tolerandis Iudeis*, which excluded Jews, were issued. As a result, the number of Jewish living in various towns was reduced and numerous restrictions were imposed on their business activities in the royal towns. Such phenomena could also be observed in many private towns as well, especially in those already established in the Middle Ages. In the latter the number of Jewish houses was strictly limited and the nature of their economic activity limited (for example on ban on involveent on retail trade or restrictions with regard to certain crafts or the preparation and sale of alcohol). Jarosław, which was well known because the Jewish Council (Vaad) met there, had a privilege granted in 1630 by Anna Ostrog ska limiting the number of Jewish houses to only two. In the sixteenth century several statutes were also issued in the Korona, such as that in 1568, limiting the commercial privileges of the Jews. In addition, allegations of ritual murder or desecration of the Host often served as a pretext for limiting the presence of the Jews, as was in the case of Bochnia in Małopolska (southern Poland) (It should be noted, that the majority of the Jews expelled from Bochnia found shelter in the nearby private village of Nowy Wiśnicz, in which few years earlier a new town had been founded which until the partition of Poland and the fall of Rzeczpospolita was the home of an important Jewish community).

The colonization in the East (East of the Vistula river) solved, from the Jewish perspective, many problems: it provided new economic opportunities, allowed overpopulated communities to rid themselves and freed the new settlers from irksome economic restrictions. This new settlement carried out on a large scale by the nobility provided the new settlers with better conditions than those they had in the previous places of residence. Furthermore, only part of the eastern territories was subject to Polish law (Red Ruthenia and Podolia), while the provinces incorporated into the Crown in 1569 were subject to the Second Statute of Lithuania (later called the Volynhian Statute).
In general, in the territory of former Ruthenia, the legal status of the Jews differed significantly from that in western provinces of the Rzeczpospolita (the areas west of the Vistula), particularly with regard to the canon law. It should be emphasised that the Roman Catholic Church, with its centuries-long tradition (formed in the Middle Ages) and restrictive policy towards the Jews was structurally very weak in these areas. Despite the rapidly increasing a number of Roman Catholic nobles in the eastern provinces of the Korona at the end of sixteenth century, the parish network was very poorly developed. Catholic magnates were preferred to support the religious orders by founding new monasteries of the Jesuits, Dominicans, and Bernardines rather than to creating Latin parishes on their estates. As a result the restrictive provisions of canon law towards the Jews were not, in fact, universally applied in the east. Even in ethnically Polish areas clergymen complained about widespread violations of the canon law, violations of Christian holidays or hiring Christian servants by the Jews, protected by the noble owners.

Certainly, the term ‘Paradisus ludeorum’ used to define the Commonwealth dates back to the sixteenth century. However, what, for example, was unimaginable in Wielkopolska (western Poland) was not uncommon in the eastern provinces of the Korona or in the Grand Duchy of Lithuania. The Jews, according to Catholic theology dating back to St. Augustine, were to be a barely tolerated group, kept in a state of subordination (servitudo) in relation to Christians by the will of God. However, in Ruthenia the Jews even became masters of life and death for the Christians. According to the contract of lease of the city of Raków of 1638, a Jewish leaseholder had all the rights of a landlord, including capital punishment. In addition, the employment of Christian servants by Jews was widespread. In his report (relatio ad limina from 30 October 1666, Stanisław Sarnowski, the Latin Bishop of Przemysł, in a diocese populated mainly by the Orthodox Ruthenians, complained about the Orthodox inhabitants of the province who served the Jews protected by the nobles. Similarly, Samuel Grądziński singled out as one of the reasons for the 1648 the judicial power exercised by Jews over peasants:

Moreover, other peasant obligations increased from one day to next, mostly because the peasants hired themselves out to Jews, who not only thought up all kinds of revenues, with great injustice to the peasants, but also arrogated to themselves the courts that judged the peasants.

Ukrainian sources refer extensively to this subject extensively. What is more interesting, the Jews regarded themselves as no longer slaves of Christians, but their masters. Adam Teller observed ‘that when reading the stories of the Book of Exodus, some Jews no longer identified with the enslaved Children of Israel, but saw themselves in the role of the Egyptian enslavers’.

In addition, in the new areas of the Jewish settlement there were no problems with the construction of synagogues or the establishment of cemeteries. The Orthodox or Protestant nobility did not intend to adhere to the law allowing construction of synagogues only with the bishop’s permission. It is also doubtful that the Catholic gentry was concerned about this particular canon. After all, even in the later years (in the eighteenth century) it was not unusual that a Catholic landowner agreed to build a synagogue, regardless the position of local bishop. Besides all these reasons for the increased migration of the Jews to the eastern provinces many Jews were also encouraged by another factor, perhaps even more important than economic reasons, namely, unrestricted freedom of worship. This in spite of the pervasive violence in the Eastern provinces of Rzeczpospolita and the dangers this posed for Jews. In the 1730s an official from the Czartoryski holdings in Podolia claimed (probably with some exaggeration) that ‘in the local countries (districts) even in ancient, calmer times no Jew has died his natural death, not mentioning the present time [of interregnum]’.

Certainly, the attitude towards followers of non-Christian religions (above all, Jews and Muslims) in these areas and also in the Ruthenian parts of the Korona and in the Great
Duchy of Lithuania was rather tolerant. Among the Jews who settled in these lands because of religious tolerance and considered this territory as a shelter from the Christian persecution were also individuals who barely fitted into the mainstream of Judaism. It is hardly a coincidence that in the following decades and centuries the new religious movements within Judaism emerged in this territory.

Concluding, thanks to the policy of settlement introduced mostly by the magnates, the presence of Jews in the eastern provinces of the Rzeczpospolita increased significantly, and they were both beneficiaries and active participants of specific economic boom in this area. However, the economy the magnates introduced, mostly grain mono-culture based on the manors (folwarks) dependent on serfdom and labour tribute meant involved the violation of long-standing privileges which led to resentments among the groups that felt mistreated by this process, among them the Cossacks. The role of the Jews in propinuation, in lease income from the imposed monopolies and in the lease of entire estates aroused particular resentment.

In addition, the religious conflict between the Roman Catholic, Orthodox and Uniate Churches cannot be ignored. The dissonance between the teaching of the Latin Church based on the canon-law and the theology of the ‘Jewish witness’ (the doctrine formulated by St. Augustine) stood in contradiction to the fact that adherents of the Orthodox church were mostly, in varying degrees, dependent on the Jews. This was the case mainly on magnates’ estates whose owners were either Roman Catholics from the Korona or members of local families, among whom conversion to Roman Catholicism was a significant phenomenon in the first half of seventeenth century. This further strengthened a sense of injustice among the Orthodox peasantry and Orthodox townspeople.

The growth of Jewish presence in the areas populated mostly by the followers of the Orthodox church caused the church superiors to attempt to regulate their relationship with the Jews. However, existing primary sources indicate that the decisions made by the representatives of the Orthodox church were not respected by the landowners and their officials. When an Orthodox paroch (pastor) from the area of Lutsk, Volynhia tried to enforce provisions of the Kiev Synod of 1640 introducing a ban on buying meat from the Jews (the non-kosher hind-quarters of cows which was sold more cheaply and thereby deprived Christian butchers of income) the leaseholder not only forbade the priest to take such action but also sued him before a magnate’s court. The priest had to pay 30 zloty to the owner’s treasure and when he refused to pay, the nobleman sealed the church, barring any religious ceremonies for two weeks.

Thus, at the outbreak of the Khmelnytsky Uprising, the Jews were a religious minority deprived of the nobles’ protection in areas affected by a brutal civil war. Depending on their provenance, the primary sources stress, in first place, the suffering of the community from which they originate, but clearly the Uprising meant the collapse of the existing social order. According to the sources, the peasants ‘wherever they found governor (wojewoda), a Catholic or a nobleman, even and [Orthodox] Ruthenian, they performed unheard of murders, destroying everything by sword and fire’. Another author reported that peasants killed all their masters or expelled them wearing only one shirt. Jewish chronicles describe mainly the enormity of the persecutions that fell upon the Jews but the entire population suffered severely.

From the beginning of the Uprising, the Jewish fate depended mostly on the success of the Polish side. It is not surprising that prince Jeremi Wiśniowiecki became a hero in both Jewish, and noble sources. For Natan Hannover he even represented the fulfilment of divine prophecy, proof of God’s protection over his chosen people. He wrote: ‘had not God spared us one [nobleman] we would all have perished’. In analyzing the campaigns of Wiśniowiecki’s troops, especially his actions in left-bank of Ukraine, one can observe he tried to save both his noble and Jewish leaseholders and their families. Wiśniowiecki was aware,
that the future economy was hugely depended on saving leaseholders and their property. The sense that the fate of the Jews was in the hands of the nobility and that depends the security of the people of Israel depended on its victory and good will can also be found in all Jewish sources. Although the description of the massacre in Tulczyn as a result of the betrayal of the nobility may seem, at the first glance to contradict this statement, based on information provided by the chronicles we may assume that it was an exceptional event, and the death of treacherous prince Czetwertyński at the hands of the Cossacks, was regarded as divine punishment, which showed the rest of the nobility, that Jews should be protected. It is also confirmed by Hannover, using the words of rabbi Aron, the yeshiva rector, who argued against taking revenge on the nobility for fear that it may turn against other Jewish communities. Generally, in Hannover’s, and the other Jewish chronicles, Poles (nobles) are described as natural allies of Jewish people. He openly states that it was only the Jews’ relations with Polish magnates and the latter’s assistance which enabled them to survive.

The further course of the Khmelnytsky Uprising, and the war with Moscow confirmed that the fate of the Jews depended on the military victory of the Rzeczpospolita. The further existence of large, organized Jewish communities was possible only in the areas controlled by the Commonwealth with a Polish army providing security. The Cossacks ruled out the Jewish presence in their territories both during Zborów and further negotiations.

The older historiography saw 1648 the beginning of a tragic era in the history of the Polish Jews in which ‘the Gezeirot not only wreaked havoc in their day but their demographic, economic, political and moral effects lingered on for a century or more’. Against this, recent historical research indicates that in the areas affected by the invasion and temporarily controlled by the Cossacks, as was the case in Volynia or Red Ruthenia, the Jewish communities were quickly rebuilt. In a very large area, Jewish communities began to operate almost immediately after the retreat of the Cossack’s troops. Those who were found guilty of robbery and murders were punished and the property seized, when possible, was soon returned to its owners. Many documents also indicate that the restoration of magnate and gentry estates was more effectively carried out than that of the royal estates.

Another aspect of the period following the events of 1648 is worth noting. Most Jewish sources claim that pious Polish Jewry in a situation of choice between conversion and death, voluntarily chose martyrdom. In fact, many of the Jews from the areas stricken by the Uprising (the scale of this phenomenon has not been fully researched) saved their lives through baptism. Following the uprising the majority of converts almost immediately abandoned faith imposed on them. As it is known, king Jan Kazimierz issued in 1649 a proclamation allowing the forced-converts to return to Judaism. There is no doubt that the king could not have issued such a document without the support of influential political forces. There must have been a social acceptance and the majority of the social elites must have rejected religious coercion. Repentant Jews who returned to Judaism were soon accepted by different social groups. For instance, in Dubno, Volynia a neophyte (one of the forced converts) who was sentenced to death for killing together with his brother, also a neophyte, and other Christians a Jewish leaseholder, before his execution was asked in which faith he wanted to die. The convict, named Alexander, chose Judaism, which did not cause any additional consequences.

It should also be emphasised that in the subsequent Andruszów negotiations (the truce concluded in 1667) one of the major controversies was the question of the return of the prisoners-of-war from the the Muscovite State to the Rzeczpospolita. The Polish side insisted on the return of Jews to the Rzeczpospolita while the Muscovites realized that such Jews would abandon the new religion which had imposed on them. As the Muscovites considered this to be apostasy and blasphemy towards the Orthodox faith and strongly refused to allow
such Jews to return to Rzeczpospolita. Polish diplomats were according compelled to adjourn this matter to further negotiations.

One more question needs to be discussed, namely the demographic, and political changes following 1648. The nobility, especially the magnates, while rebuilding their estates devastated in the Uprising (and subsequent wars) to an even greater extent than previously relied on the use of Jewish settlers. The relationship between landowners and the Jews became even stronger. In the economy of the Rzeczpospolita, based on the grain production and serfdom, the significance of the propination dominated by Jews increased, especially in the eastern provinces of the Commonwealth. There were only minor changes in economic and administrative policy of nobility. Perhaps the only result of the Uprising (although it is also not certain) was the abandonment of the practice of leasing whole estates to the Jews. Instead the collection of revenues and the exercise of monopolies were commonly leased to them. Although Jewish leaseholders of whole estates did not disappear completely, compared to the period prior to 1648 their number had decreased significantly. It became a prevalent practice to entrust economic supervision to the Jews while judicial power over Christians was restricted to the nobility. This enabled the magnates to avoid situations in which the Jews had at least officially some form of authority over Christians. The increasing role of the income from the propination in the nobility’s economy, also had a great impact on Jewish migration to aristocratic estates and rural areas. As a result, the majority of the Jews lived in nobility estates in the eighteenth century.

Migration to noble cities, towns and villages meant also that the previous centres of Jewish religious and political life were replaced by new one’s on the magnates’ estates. The former Jewish centres such as Lwów, Kraków, Poznań lost their importance and were supplanted by new, magnate's towns such as Żółkiew, Brody or Leszno, where the Jewish communal elite were aware that their status depended on the landowners protection. This made possible the expansion, or even demographic explosion of the Jews in the former Rzeczpospolita. However, it also had negative consequences. Already in the first generation after the Khmelnytsky Uprising the disintegration of the existing structures of Jewish self-government began, a process which accelerated in the following decades. This led to a progressive decentralization of Jewish life which was subjected to a multitude of jurisdictions over the Jews and created the conditions for religious and social diversity, facilitating religious ferment in the decades to come.

In conclusion, the Khmelnytsky uprising did not have as adverse an effect on Jewish community in Polish-Lithuanian state as has been claimed by earlier Jewish historiography. The Uprising and the subsequent wars reinforced the decentralized nature of the noble republic. It also contributed to the demographic growth of the Jewish population in the noble towns. As a result, a unique Jewish-Polish culture and religion started to thrive under protection of nobility. In the following decades Jewish community witnessed very high birthrate and the nobility, anxious to rebuild their ruined estates, supported Jewish settlement to even greater extent than ever in the past.