

The Role of the Jews in Commerce in Early Modern Poland-Lithuania

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Jewish participation in the economy of the Polish Commonwealth was characteristically fluid and entrepreneurial.¹ Artisans often marketed the goods they produced, merchants resorted to artisans and lent money at interest, rabbis and other religious functionaries engaged in commerce, and arendars also pursued independent commerce. It can be shown though, that the *proportion* of the Jewish population which was engaged primarily in commerce was greatest in the sixteenth century and declined slow-

¹ On the Jews in early modern Poland-Lithuania in general see GERSHON DAVID HUNDERT and GERSHON C. BACON, *The Jews in Poland and Russia: Bibliographical Essays* (Indiana University Press: 1984). On the Jews in Polish commerce the following are the main works: MARCUS BREGER, *Zur Handelsgeschichte der Juden in Polen während des 17. Jahrhunderts, mit besonderer Berücksichtigung der Judenschaft Posens*, (Berlin 1932); Maurycy Horn, *Żydzi na Rusi Czerwonej w XVI i pierwszej połowie XVII wieku*, (Warsaw 1975), 160-217; GERSHON HUNDERT, "An Advantage to Peculiarity? The Case of the Polish Commonwealth". *AJS Review* 6, (1981): 21-38; IDEM, "Jews, Money and Society in the Seventeenth-Century Polish Commonwealth: The Case of Cracow". *Jewish Social Studies* 43 (1981): 261-74; MORDECAI KASOVER, "Der inländischer handel fun poylishe yidn in 16ten un 17ten yarhundert". *Yivo Bleter* 12 (1937): 533-43; 15 (1940): 182-201; LEON KOCZY, "Studia nad dziejami gospodarczymi Żydów poznańskich przed połowa wieku XVII". *Kronika Miasta Poznania* 12 (1934): 257-99, 333-62; 13 (1935): 47-63; JANINA MORGENSZTERN, "O działalności gospodarczej Żydów w Zamościu w XVI i XVII w". *Biuletyn Żydowskiego Instytutu Historycznego* [Hereafter: *BZH*] 53 (1965): 3-32; 56 (1965): 3-28; ELEONORA NADEL-GOLOBIC, "Armenians and Jews in Medieval Lvov: Their Role in Oriental Trade, 1400-1600". *Cahiers du Monde russe et soviétique* 20 (1979): 345-88; IGNACY SCHIPER, *Di virtschaftsgeshikhte fun di Yidn in Poyln beysn mitelalter* (Warsaw 1926); IDEM, *Dzieje handlu żydowskiego na ziemiach polskich* (Warsaw 1937) [Hereafter: *Dhz*] IDEM, *Toledot ha-kalkalah bayehudit*, 2 vols. (Tel Aviv 1935); IDEM, "Toledot ha-kalkalah shel yehudei Polin ve-Lita mi-yamin rishonim ve-'ad le-haluqat ha-medinah". in *Beit yisra'el be-Polin*, ed. Israel Halpern. Vol. I, (Jerusalem 1948), 155-99; BERNARD DOV WEINRYB, *Mehqarim u-meqorot le-toledot Yisra'el ba-et ha-hadashah*, (Jerusalem 1975).

ly in the course of the seventeenth century and more rapidly during the eighteenth century. At the same time, paradoxically, the *number* of Jews in commercial occupations increased as did their share of Polish commerce as a whole. To describe this process it is necessary to look first at the history of Polish commerce in general.

Polish Trade and Commerce 1500-1800

A simple line graph describing the Polish economy as a whole would rise slowly during the first half of the sixteenth century and more sharply to the end of the second decade of the seventeenth century. Thereafter it would begin to decline and would continue to fall sharply after 1648 to about 1672 following which there would be slight recovery for about three decades. During the first forty years of the eighteenth century the line would reach its lowest level. Recovery would begin around 1740 and continue through the remainder of the eighteenth century but the highest levels of the period between 1550 and 1615 would not be regained.²

The export of grain was the mainspring of the Polish economy. It was transported on the Vistula, Odra, Neman, Pregel and Dvina rivers to Baltic ports mainly by noblemen although merchants from towns along the river routes participated in this trade as well. During the first half of the seventeenth century the gentry's share of the grain trade was three times that of the merchants. In Gdansk

² Useful works on Polish economic history include: JAN RUTKOWSKI, *Historia gospodarcza Polski* (Poznań 1946); *Encyklopedia historii gospodarczej Polski do 1945 roku*, 2 vols. (Warsaw 1981); ARTUR ATTMAN, *The Russian and Polish Markets in International Trade 1500-1650* (Göteborg 1973); INGOMAR BOG ed., *Der Aussenhandel Ostmitteleuropas 1450-1650* (Vienna 1971); ADAM MANIKOWSKI, "Zmiany czy stagnacja? Z problematyki handlu polskiego w drugiej połowie XVII wieku", *Przegląd Historyczny* 64 (1973), 771-89; R. RYBARSKI, *Handel i polityka handlowa Polski w XVI Stuleciu* (Poznań 1928, 1929); ALINA WAWRZYNCZYK, *Studia z dziejów handlu Polski z Wielkim Księstwem Litewskim i Rosją w XVI wieku* (Warsaw 1956); JERZY WOJTCOWICZ, "Toruńskie przedsiębiorstwo handlowe Samuela Edwardsa w XVII wieku", *Roczniki Dziejów Społecznych i Gospodarczych* 14 (1952), 203-41; MARIAN WOLAŃSKI, *Statystyka handlu Śląska z Rzeczpospolitą w XVII wieku* (Wrocław 1963); MARIAN WOLAŃSKI, *Związki handlowe Śląska z Rzeczpospolitą w XVII wieku* (Wrocław 1961).

(Danzig), the most important of the Baltic ports, grain generally constituted three-fourths or more of all exports in terms of value. Next to grain the most important exports were furs and cattle which, unlike grain, were transported for the most part overland to the west by merchants. The most important imports were textiles, hardware and metals, colonial goods and spices, salt, wine, fish, precious metals and jewels. The expansion of trade during the fifteenth and sixteenth centuries contributed to the development of fairs in Gdansk, Lublin, Poznan, Torun, Gniezno, Warsaw, Jaroslaw, Kazimierz, Łowicz, and Krzepice, as well as Wilno, Grodno and Brzesc in Lithuania. The development of the fairs led to the appearance of new forms of exchange based on credit, and fairs became the principal dates on merchants' calendars. The great trading firms of Poland which appeared in the first half of the sixteenth century, mainly run by families of German origin like the Boners of Cracow, tended to disappear after mid-century as their members were ennobled and abandoned commercial pursuits. At the beginning of the seventeenth century about two percent of the Polish population was engaged in commerce and commerce-related occupations.

The wars, epidemics, and natural calamities of the middle of the seventeenth century accelerated the economic regression which had begun around 1620. Grain production fell rapidly as did the West European demand for Polish cereals. The entire Polish economy weakened and the balance of trade became progressively more passive. The best and most rapid recovery during the second half of the seventeenth century was made in the area of the fur trade. Indeed by the end of the century the Lithuanian-Belorussian centres of Mohylew, Szklów, and Witebsk were booming and the route between these towns and the Leipzig fairs where the furs were sold was well-travelled. In an effort to reclaim the financial returns of grain production some large landowners, and particularly the overseers of crown estates, resorted to labour rents which it was hoped would lower costs and increase the available quantities. And there was a noticeable tendency to use the grain for the

manufacture of alcoholic beverages to be sold on their estates. This was less risky and potentially more profitable than the unstable export market. On crown estates in 1564 income from the production and sale of alcoholic beverages amounted to less than one-half of one percent; by 1789 the proportion was close to forty percent. The Great Northern War at the beginning of the eighteenth century interrupted a halting economic recovery which had begun under Sobieski and caused enormous devastation. During the era of the Saxon kings, however, recovery eventually began again. Also, the personal union with Saxony facilitated increasing Polish access to the great Leipzig fairs as well as access to Polish markets by Leipzig merchants who appeared as far east as the Russian border. In Polish towns market days and fairs began to be more numerous and more active, and by 1750 grain exports reached totals approaching those of the first half of the seventeenth century.

During this period the characteristic form of urban settlement in Poland was the small town.³ Even at the end of the eighteenth century not more than twelve Polish cities (Warsaw, Gdańsk, Lwów, Cracow, Wilno, Szczecin, Elbląg, Brody, Poznań, Berdyczew, Toruń, Lublin) had populations of more than 10,000. By contrast there were more than a thousand towns of 2,000 or fewer inhabitants. In this period, too, notable dynamism was to be found particularly in the private towns, both in larger centres like Brody and Berdyczew and smaller towns.

³ On the subjects of small and private towns the works of ANDRZEJ WYROBISZ are indispensable. See, for example, "Ludność żydowska w Tartowie: Od połowy XVI do końca XVIII w.", *BZIH* 89 (1974), 3-17; "Materiały do dziejów handlu w miasteczkach polskich na początku XVIII wieku", *Przegląd Historyczny* 62 (1971), 703-16; "Polityka Firlejów wobec miast w XVI wieku i założenie Janowca nad Wisłą", *Przegląd Historyczny* 61 (1970), 577-608; "Rola miast prywatnych w Polsce w XVI i XVII wieku", *Przegląd Historyczny* 65 (1974), 19-45; "Typy funkcjonalne miast polskich w XVI-XVIII w.", *Przegląd Historyczny* 72 (1981), 25-49; "Functional Types of Polish Towns in the XVI-XVIIIth Centuries", *Journal of European Economic History* 12 (1983), 69-103. See also TOMASZ OPAS, *Własność w miastach prywatnych w dawnej Polsce* (Rozprawa habilitacyjna), (Rzeszów 1975); T. OPAS, "Miasta prywatne a Rzeczpospolita", *Kwartalnik Historyczny* 78 (1971), 28-47; "Sytuacja ludności żydowskiej w miastach szlacheckich województwa lubelskiego w XVIII w.", *BZIH* 67 (1968), 3-37.

The pace of recovery of the Polish economy accelerated during the third quarter of the eighteenth century. For the first time the Polish state began to intervene in an effort to ameliorate the conditions of commerce: improvement of roads and waterways; abolition of internal tariffs and tolls; standardization of weights and measures. Also, private funds of magnates and of the new banks (Tepper, Kabryt, Prot Potocki) were invested in manufactures on a significant scale. By this time Warsaw had become the centre of Polish commerce and banking, and Brody a major emporium of international trade. The configuration of the reconstruction of Polish commerce, however, was altered by each successive partition when the territories of the Commonwealth were incorporated by Russia, Austria and Prussia.

From the late Middle Ages Polish commerce was largely in the hands of non-Poles. In the thirteenth century large-scale trade was dominated by Germans. In the second half of the fourteenth century Italian merchants began to play an important role which was particularly noticeable during the ensuing two centuries in Poznań, Cracow and Lublin. During the same period Armenians dominated international commerce in the south-eastern territories. Scots were characteristically pedlars from the fifteenth century, although some became great merchants. Dutch and English merchants were active in Poland at same time. After the *potop* in the middle of seventeenth century this conglomerate of nationalities became less conspicuous as they were assimilated. Although there was a new penetration by West European and especially German merchants at the end of the seventeenth and during the eighteenth centuries, it was with the disappearance of the non-Polish merchants that Jews began to dominate Polish commerce as never before.

Jewish Commerce 1500-1800: The Political-Legal Framework

The basic charters of Polish Jewry granted by Boleslaw of Kalisz in the thirteenth century, Casimir the Great in the four-

teenth century, and Casimir IV in the fifteenth century reflected an expanding Jewish role in Polish commerce and expressed progressively more detailed and elaborate royal protection for that role⁴. Thus, the following are to be found among the articles of the 1453 charter:

17. Any Jew may walk or ride freely and securely without impediment or arrest from city to city, from one province to another in our kingdom, and within all of our cities and those of our subjects. Any Jew in our kingdom may transport his property, goods or any merchandise he wishes or is able to purchase with him freely and without hindrance. He may buy, sell and trade according to his wish. He may stop and stay in any village or town he chooses without hindrance or arrest. In all of the cities, towns, villages and other places in our kingdom all of the Jews [are protected] by a Royal safe-conduct; they shall pay only the usual tariff duties paid by Christians.

45. Jews living in our kingdom may secure, acquire and trade freely and without impediment or arrest any merchandise or other goods of any type in the same way as the Christians residing in our kingdom. And if one of the Christians should prevent the Jews from doing what has been described above or interferes in any way with their trade, this is contrary to all of our Royal statutes, and in so doing the Christians will incur our great wrath.

46. Likewise, we decree that any merchant or anyone else who sells goods at the annual fairs or in the weekly markets must sell his goods both to Christians and to Jews. If he does otherwise and the Jews file a complaint, then the goods he has brought to sell will be seized for us and for the Wojewoda.⁵

These detailed provisions contrast with the brief references in the twelfth and thirty-seventh articles of the 1264 charter⁶. During

⁴ See JACOB GOLDBERG, *Jewish Privileges in the Polish Commonwealth* (Jerusalem 1985), 1-8; ARTUR CYGIELMAN, "The Enhanced Privilegium of the Jews in North-West Poland as Reflected in Polish Historiography" [Hebrew], *Zion* 48 (1983), 281-314.

⁵ PHILIP BLOCH, *Die General-Privilegien der Polnischen Judenschaft* (Posen 1892), 105, 119.

⁶ No. 12: Wherever a Jew shall pass through our territory no one shall offer any hindrance to him or molest him or trouble him. If, however, he should be carrying any

the sixteenth and seventeenth centuries a series of royal edicts firmly placed Jewish merchants on an equal footing with Christian merchants.⁷ When the Piotrków Sejm in 1563 enacted a rather heavy tax (12.5%) on goods carried by Jewish merchants, Sigismund August forbade collection of the tax because, "the Jews now pay the capitation and other taxes and this new imposition could lead to their impoverishment and to high prices in the country."⁸ In 1578, Stephan Batory, renewing a 1532 edict of Sigismund I, granted Jews freedom to trade in all crown towns and cities and these rights were confirmed by subsequent monarchs as well.⁹ A tendency to protect Jewish commercial rights can be seen in privileges granted to individual Jewish communities by Polish monarchs mainly in the second half of the sixteenth and the first half of the seventeenth centuries (e.g. Betz 1549; Busk 1564; Przemyśl 1559; Tyszowiec 1567; Stryj 1576; Poznań 1576; Hrubieszów 1587; Lwów 1578; Zwolen 1591; Szydłów 1633; Przedgórz 1638; Opoczno 1646; Ostrów 1652; Łuków 1659).¹⁰ In the protracted struggles over commercial rights between the Jews and

goods or other things for which he must pay duty at all custom offices, he shall pay only the prescribed duty which a citizen of that town, in which the Jew then dwells, pays. No. 37: And we decree that Jews are free to buy and sell any article and to touch bread like Christians... SERGEI BERSHADSKII *et al.*, *Russko-Evreiskii Arkhiv* (St. Petersburg 1903), no. 1.

⁷ MATHIAS BERSOHN (ed.), *Dyplomatarjusz dotyczący Żydów w dawnej Polsce na źródłach archiwalnych osnuty (1388-1782)* (Warsaw 1910) [Hereafter: *Dypl.*] no. 31 p. 37, no. 72 pp. 63-4, no. 210 p. 123.

⁸ *Ibid.*, no. 532 pp. 261-2, and cf., no. 88 p. 69.

⁹ *Ibid.*, no. 162 p. 104, no. 230 p. 131; LUDWIG GUMPLOWICZ, *Prawodawstwo polskie względem Żydów* (Cracow 1867), 162-66.

¹⁰ MAURZYCY HORN, *Żydzi na Rusi Czerwonej w XVI i pierwszej połowie XVII w* (Warsaw 1975), ch. I, nn. 44-6, 48-50, 107, ch. IV, n. 23; *Dypl.*, no. 92 p. 70, no. 105 p. 77, no. 167 p. 107; JAROSŁAW LEITGEBER, *Z dziejów handlu i kupiectwa Poznańskiego za dawnej Rzeczypospolitej Polskiej* (Poznań 1929), 80-1; *Lustracja województwa sandomierskiego 1660-1664*, cz. I (Cracow 1971), pp. 7, 162; MICHAŁ BALIŃSKI and TYMOTEUSZ LIPIŃSKI, *Starożytna Polska pod względem historycznym, jeograficznym i Statystycznym* (Warsaw 1843-46), vol. II, 363, 396-7; *Lustracja województwa lubelskiego 1661* (Warsaw 1962), 43, 63; c.f., JACOB GOLDBERG, *Jewish Privileges in the Polish Commonwealth*, *passim*.

the municipalities of the larger towns the monarchs sometimes took the Jews' side.¹¹

Polish monarchs could also bestow the rank of *serwitor*, *faktor* or secretary of the crown upon individuals. Sigismund I was apparently the first to award the title *serwitor*, and, like his successors, granted it mainly to artisans, freeing them from obligations and limitations imposed by their guilds and placing them under royal protection. In Warsaw during the years between 1657 and 1666 at least 63 (Christian) artisans were *serwitory*.¹² Jewish *serwitory* were usually merchants and only a very few received the more privileged status of secretary of the crown; by contrast, about one-fifth of the municipal officers in Cracow during the seventeenth century were crown secretaries.¹³ A *serwitor*, *faktor*, or secretary of the crown was subject only to the jurisdiction of the king, was exempt from the payment of customs and various taxes, could reside where he pleased and generally had licence to distill liquor. Also, the title sometimes served as a kind of passport. And Jews who were *faktors* or *serwitores* of the Polish crown were exempt from the special payments required of Jews at the Leipzig fair.¹⁴ Holding such a title, however, did not necessarily imply any direct relationship to the royal court though there was, or course, such a relationship at times. Sigismund August appears to have been the first Polish king to award the rank to a Jew, and it was used most frequently during the thirty years following 1648 when more than thirty-five Jews received the status of *serwitor* or *faktor* of the crown.¹⁵

¹¹ *Dypl.*, no. 72 pp. 62-3; no. 235 p. 132; MAJER BALABAN, *Historja Żydów w Krakowie i na Kazimierzu I* (Cracow 1931) [Hereafter *HZK*], 213-15; *Dbz* pp. 61, 62, 67; JANINA MORGENZTERN, "Regesty z metryki koronnej do historii Żydów w Polsce, 1633-1660", *BZIH* 58 (1966), no. 36 p. 114.

¹² TADEUSZ MANTEUFFEL (ed.), *Historia Polski*, vol. I, pt. 2 (Warsaw 1958), p. 653.

¹³ JANINA BIENIARZÓWNA, *Mieszczanstwo Krakowskie XVII w.* (Cracow 1969), 70-2.

¹⁴ *HZK* II, pp. 120-2; *Dypl.*, no. 251 pp. 141-2.

¹⁵ MAJER BALABAN, "Joseph Jonas Theomim-Frankel, Rabbiner in Krakau (1742-1745), und seine Zeit". *Monatsschrift für Geschichte und Wissenschaft des Judentums* 61

This increased intervention on behalf of individual Jewish merchants in the years following 1648 can be seen as well in the large number of royal moratoria on debts issued during that period. These moratoria free the debtor from his obligations for a special period, generally a year or a year and six weeks. Between 1658 and 1700 no fewer than seventy-six Jews from Cracow alone received them, some on two or more occasions. Royal moratoria, however, were not always reliable protection against creditors. When Wilhelm Orsetti, merchant of Cracow, loaned a large sum to the Royal Treasury of Jan Kazimierz in 1664, the king ordered the abrogation of all moratoria insofar as they applied to Orsetti's debtors, "first of all to his Jewish debtors in Cracow, Lublin, and Lwów." Despite such arbitrary actions, Jewish merchants persisted in seeking and obtaining these moratoria, which generally applied to all debts regardless of the class of the creditor, though sometimes debts to the nobility were excepted.¹⁶

Polish monarchs, however, were not entirely consistent in their policies. The same Sigismund August who abrogated the tax on Jewish merchants advocated by the Sejm, confirmed in his 1559 privilege to the town of Sandomierz that Jews had no right to sell any goods "by weight to measure" in the town on pain of confiscation.¹⁷ In the course of the sixteenth century more than

(1917), 168-70; JANINA MORGENSZTERN, "Regesty z metryki koronnej do historii Żydów w Polsce, 1588-1632", *BZIH* 51 (1964), no. 44; J. Morgensztern, "Regesty... 1660-1668", *BZIH* 67 (1968), nos. 6, 10, 11, 12, 13, 15, 46; J. MORGENSZTERN, "Regesty... 1669-1696", *BZIH* 69 (1969), nos. 36-53; *Dypl.*, nos. 65, 102, 131, 150, 165, 218, 250, 251, 259, 292, 296, 300, 317; O. PIETRUSKI, K. LISKE, A. PROCHASKA (eds.), *Akta grodzkie i ziemskie z czasów Rzeczypospolitej polskiej z archiwum tak zwanego bernardynskiego we Lwowie X* (Lwów 1868-1931) [Hereafter AGZ] nos. 3821, 4508, 4525, 4590; *HZK* I, 256, 293, 296-7, II, 43, 90, 117, 121, 122, 137. My data contradict the recent assertion that "the number of Jews who received individual privileges greatly diminished... in the second half of the seventeenth and the first half of the eighteenth centuries..." JACOB GOLDBERG, *Jewish Privileges in the Polish Commonwealth* (Jerusalem 1985), p. 9.

¹⁶ GERSHON DAVID HUNDERT, "Jews, Money and Society in the Seventeenth-Century Polish Commonwealth: The Case of Cracow", *Jewish Social Studies* 43 (1981), 267 and the references there.

¹⁷ JAN CHĄDZYŃSKI, *Historyczno-statystyczne opisy miast starożytnych w ziemi sandomierskiej leżących*, vol. I (Warsaw 1856), 41-42.

fifty localities received royal sanction for excluding or expelling Jews from their boundaries (*de non tolerandis Judaeis*).¹⁸

At times, the gentry too gave heed to the complaints of the municipalities about Jewish commercial competition and enacted legislation which met the demands of the Christian merchants. Among the provisions enacted "de Judaeis" at the Piotrków Sejm of 1538 were two laws, one forbidding the Jews to conduct trade in the villages, and another requiring that they honour their agreements (pacts) with the municipalities. In 1588 another motif among Christian complaints was given legislative form by the Sejm when Jews were forbidden to "get ahead of the Christians" in the purchase of goods and foods by waiting outside the city. In 1643, apparently at the behest of Christian merchants, the Sejm actually adopted a law which limited Jewish profits on imported goods to three percent while allowing foreign merchants five percent and local residents a profit margin of seven percent. Many voices were also raised in the *sejmiki* (dietines) on behalf of Christian merchants whose interests were being harmed by Jewish competition.

¹⁸ For example: Biecz, Brzeznicza, Bydgoszcz, Dołsk, Drohobycz, Garwolin, Grodek, Jarosław, Jasto, Kamieniec Podol., Kielce, Klecko, Kościan, Kościeszyn, Kraków (1495), Kraśnik, Krasnystaw, Krosno, Latowicz, Łomża, Lubica, Lublin, Magierów, Międzyrzecze, Mikołajowie, Mościska, Nowa Nieszawa, Nowy Sącz, Opatówek, Opoczno, Ostrzeszów, Pakość, Piotrków, Pilzno, Pułtusk, Radziejów, Sambór, Słupca, Sokołów, Środa, Stary Sambór, Stężyca, Stryj, Tarnograd, Toruń, Trzemeszno, Urzędów, Warsaw, Wieliczka, Wieluń, Wiślica, Witebsk, Władysławów. *Starożytna*, vol. I. pp. 74, 113, 119, 160, 168, 192, 197, 227, 250, 332, 396, 514; vol. II, pp. 211, 570. *Dypl.*, no. 109 p. 79, no. 113 p. 81, no. 115 p. 81, no. 160 p. 104, no. 169 p. 108, no. 185 p. 112, no. 189 p. 112, no. 545 p. 264; IGNACY SCHIPER, "Rozwój ludności żydowskiej na ziemiach dawnej Rzeczypospolitej", in *Żydzi w Polsce Odrodzonej*, ed. I. Schiper, A. Tartakower, A. Hafftek (Warsaw n.d.), p. 27; M. Horn, *Żydzi na Rusi Czerwonej*, pp. 21, 37; WŁADYSŁAW CŹWIK, "Ludność żydowska w miastach królewskich Lubelszczyzny w drugiej połowie XVIII wieku", *BZIH* 59 (1966), 30; MOJZESZ STEINBERG, *Żydzi w Jarosławiu* (Jarosław 1933), 6; FR. BUJAK, *Materyały do historii miasta Bieczy* (1361-1632), (Cracow 1914), 107; RAPHAEL MAHLER, *Toledot ha-yehudim be-Polin* (Merhaviva 1946), 294; JANINA MORGENSZTERN, "Z dziejów Żydów w Kraśniku do połowy XVIII wieku", *BZIH* 34 (1960), 72-3; SALO W. BARON, *A SOCIAL AND RELIGIOUS HISTORY OF THE JEWS*, 2d. rev. ed., vol. XVI, "Poland-Lithuania 1500-1600" (New York and Philadelphia 1976) [Hereafter: *SRH*], 125. See also JACOB GOLDBERG, "De Non Tolerandis Judaeis", *Studies in Jewish History Presented to Professor Raphael Mahler* (Merhaviva 1974), 39-52. A complete study might well uncover more than twice this number of towns with the right *de non tolerandis judaeis*.

The resolutions adopted in these assemblies were usually worded in a general way to the effect that Jews were "exceeding their rights and trading in goods not permitted them, to the detriment of Christian merchants." Sometimes there were attempts to prohibit Jewish trading in specific items such as wine, oxen and horses, saltpeter, and *potabilia et comestibilia*.¹⁹

The Christian zeal of the *szlachta* and their tendency to give the Christian merchants' demands a sympathetic hearing were moderated by the class-interests of the gentry. Their concern was to keep prices low and the opinion that merchants were raising prices without justification often exercised delegates to the *sejmiki*. The desire to protect the Christian merchants was tempered by the idea that "if Jews were admitted to the trade in goods which the merchants unjustly control, this might make everything cheaper."²⁰ Thus, the legislative enactments of the *szlachta* reveal ambiguous policies and contradictions regarding Jewish commercial activities; the municipalities were somewhat more consistent.

As the role of the towns in the economic life of the country became more important toward the end of the fifteenth century, and as the Jewish population and the number of Jewish merchants increased, the Christian merchants of the leading cities began to take steps with a view to eliminating or reducing Jewish competition. As early as 1485 the heads of the Jewish community of Cracow "freely and without coercion" signed a document in which they pledged to give up virtually all forms of commercial activity, and to restrict themselves almost exclusively to lending money against pledges.²¹ Evidently the Jews did not desist from

¹⁹ *Volamina Legum*, Vol. II (St. Petersburg 1860), pp. 51, 68, 94. AGZ XX, no. 114-41 p. 68, no. 100-23 p. 147, no. 105-26 p. 156, no. 149-28 p. 224, no. 211-16 p. 446, no. 215-6 p. 464-5; AGZ XXI, no. 213-21 p. 406, no., 224-43 p. 429, no. 275-66 p. 495; AGZ XXII, no. 31-62 p. 76, no. 94-23 p. 268; *Akta sejmikowe województwa krakowskiego*, vol. 2 (Cracow 1953, 1955), no. 52 p. 264, no. xcv-106-37 p. 284.

²⁰ "Może to być zatem wszystko taniej..." AGZ XXIV, no. 33-20 p. 44. Cf., *Akta sejmikowe województwa krakowskiego*, vol. 2, no. 35 p. 641.

²¹ *HZK I*, p. 60. ISRAEL HALPERN (ed.), *Beit Yisra'el be-Polin*, vol. 2 (Jerusalem 1953), 235-6.

engaging in commerce and they were expelled from Cracow proper in 1495. Thereafter the struggle over Jewish trading rights in Cracow continued for three centuries while the Jews lived in the suburban town of Kazimierz. Particularly during the sixteenth century, but also during the seventeenth and eighteenth centuries, dozens of towns, including major centres like Lublin, Warsaw and Wilno, attempted to exclude Jews from residing in their jurisdictions. Other discriminatory if less extreme legislation, aimed at reducing or eliminating Jewish competition, typically classed Jews as foreign merchants, forbade them to engage in retail trade, limited Jewish wholesale merchants to certain specific goods, or forbade them to lease shops or stores on the marketplace of the town.²² Guild charters also frequently not only excluded Jews from the guild's trade but also limited or prohibited Jewish acquisition of raw materials used by the guild, or forbade Jews to sell imported products of the same type produced by the guild. These varying attempts to circumscribe Jewish commercial activity are known as early as the end of the fifteenth century. In the sixteenth century it appears that the largest cities attempted to band together against the Jews. A letter was addressed by the leading burghers of Lwów to their comrades in Poznań in 1521:

To our honoured and dear friends, peace and blessing.

As is known to your honours the unbelieving Jews have caused damage and destruction not only in our city but in others in which they have chanced to settle as well. Just as they have robbed our citizens and merchants of almost their entire livelihood, they do like damage in other places where they destroy as much as they can of the business of those merchants. As a result they alone are involved in trade, they have spread out among the villages and towns and permit nothing to come into the hands of the Christians. All this is contrary to the charter which was granted to them many years ago. This granted them privileges in trade and commerce only in certain products and trades and nevertheless caused damages and losses to Christian men of commerce. In addition, they have obtained new

²² *Dhz*, p. 27-9.

licenses giving them greater latitude and their influence in the royal court continues to grow. In order to prevent that which we feared from occurring, we have recently sent a delegation to Cracow to His Majesty to bring before him and his advisers the distress of our merchants and the damage of our city. The royal advisers and their excellencies, the clergy, defended us in this matter. His Majesty, however, saw fit to delay dealing with it until the convocation of the next Sejm.

We are aware that your honours have also had not a few troubles because of these Jews. We therefore urge your excellencies in the strongest terms to inform us of your willingness to join with us in opposition to the privileges which have been granted the Jews and to join with us in asserting our common position before his majesty in opposition to these Jews at the coming Sejm. Such an agreement between us against these Jews must result in the end of their privileges. It will be a benefit to our citizens and a blessing for our country.²³

As far as is known, this effort yielded no concrete results, and this was the only time that the towns tried collectively to deal with the Jews. Generally, the burghers of Poland-Lithuania thought of themselves as citizens of single towns so that the struggles with the Jews were conducted on the local level in each town.²⁴

Thus, for example, although the town of Opoczno had the right to exclude Jews, in 1646 the Starosta gave the Jews a privilege permitting them to build homes and shops in the area under his direct jurisdiction. There were similar developments in Nowy Sącz where the Jews also lived only on the Starosta's holdings until about 1673. Jews settled in a gentry-owned village next to the town of Piątek which excluded Jews. The village, Pokrzywnica, became the commercial centre of the town and the site of the weekly

²³ IGNACY SCHIPER, *Studja nad stosunkami gospodarczymi Żydów w Polsce podczas średniowiecza* (Lwów 1911), p. 350 dok. 8; I. HALPERN, *Beit Yisra'el be-Polin*, vol. 2, 236-7.

²⁴ MARIA BOGUĆKA, "Les villes et le développement de la culture sur l'exemple de la Pologne au XVIe-XVIIIe siècles", *La Pologne au XVe Congrès International des Sciences Historiques à Bucarest* (Warsaw 1980), 153-69.

market.²⁵ Many towns which had the privilege *de non tolerandis Judaeis* made allowance for Jews to enter on market and fair days. Such provisions were made, for example, in Toruń, Gdańsk, and Wrocław (Breslau).²⁶ This sort of ambivalence within the wealthier ruling stratum of the towns was reflected in these and other contradictory policies. Because of the Jews' significance in commerce, particularly in their role as suppliers of goods produced in the countryside and distributors of goods purchased in the towns, their presence was welcomed by certain elements of the municipal population. Also, during the seventeenth century the abandonment of exclusionary policies became more frequent than their institution. The town of Chęciny, for example, though it did not exclude Jews entirely, forbade them to build more houses in 1588, to erect a synagogue in 1597, and to purchase houses in the town or to rent buildings on the marketplace in 1602. Yet the survey (*lustracja*) of 1661 recorded the devout wish of municipal government that the Jews, the majority of whom had left town because of a recent plague, would soon return. In 1669 the Jews of Chęciny received a royal privilege entitling them to build houses anywhere in the town, including the market place, to erect a synagogue and cemetery, and to trade as they pleased in the town.²⁷

As was the case with radical exclusionary measures, less extreme restrictions also lost much of their force in the course of the seventeenth century. This was particularly true in the smaller and the private towns. In some, for example, attempts had been made to keep Jews from renting stores or houses on the *rynek* (from the German "Ring" - the street encircling the central market square),

²⁵ *Lustracja województwa sandomierskiego 1660-1664*, cz. I, pp. 4, 7; R. MAHLER, "Z dziejów Żydów w Nowym Sączu w XVII i XVIII wieku", *BZiH* 55 (1965), 4-5; BOHDAN BARANOWSKI, *Życie codzienne małego miasteczka w XVII i XVIII wieku* (Warsaw 1975), 16.

²⁶ MEIR BALABAN, *Historia i literatura żydowska*, vol. 3, 172; *Dypl.*, no. 185 p. 112. no. 214 p. 123, no. 215 p. 124.

²⁷ *Dypl.*, no. 189 p. 112, no. 205 p. 122, no. 236 p. 132, no. 289 p. 163; *Lustracja województwa sandomierskiego 1660-1664*, cz. I, 59-61. Cf. *Volumina Legum*, vol. V (St. Petersburg 1860), 286.

and from doing business there. The case of Chęciny was just noted; Jan Tarnowski forbade Jews to settle on the *rynek* in Tarnopol in 1550; there were similar prohibitions in Parczew (1569), Łuków (1589) and Zaklików (1502).²⁸ As early as 1625 Jews owned six houses on the *rynek* in Tarnopol; the 1669 privileges to Jews of Chęciny explicitly permitted Jewish residence on the marketplace. An early seventeenth-century prohibition of Jewish settlement on the *rynek* in Żółkiew was being ignored in 1680. In Lublin, where the Jews had been forbidden repeatedly to do business on the marketplace, twenty-six of forty-six shops there were in Jewish hands in 1670.²⁹ There was an identifiable tendency for Jews to settle on the *rynek* in many Polish towns.³⁰

It is striking that another motif among the demands of the Jews' competitors was that the Jews be *required* to conduct their business on the marketplace. A variety of sources, from the sixteenth into the eighteenth centuries, speak of the Jews' practice of meeting the peasants' carts outside the city walls and buying up the best produce and livestock. City merchants objected and repeatedly forbade the Jews "to get ahead of the Christians" in this way demanding that the Jews trade only in the *rynek*.³¹ This practice

²⁸ ELIZBIETA HORN, "Polozenia prawno-ekonomiczne Żydów w miastach ziemi halickiej na przełomie XVI i XVII w.," *BZIH* 40 (1961), 24; MELCHIORZ BULIŃSKI, *Monografia miasta Sandomierza* (Warsaw 1879), 92-3. Cf., J. MORGENSZTERN, "Regesty... 1588-1632", no. 56, p. 69; *Lustracja województwa lubelskiego 1661*, 57; T. OPAS, "Sytuacja ludności żydowskiej", p. 9; MORDECAI NADAV, "Toledot qehillat Pinsk-Karlin 1506-1880", in *Pinsk: sefer edut ve-zikkaron*, ed. W.Z. Rabinowitsch (Tel Aviv 1973), 25.

²⁹ N.M. GELBER, "Toledot yehudei Zhulqiev", in *Sefer Zbulqiev*, ed. Y. Ben Shem and N.M. Gelber (Jerusalem 1969), col. 33. S. BUBER, *Qiryat nisgavah* (Cracow 1903), 91. MARIA STANKOWA, "Zmierzch znaczenia Lublina: Upadek (1648-1764)", in *Dzieje Lublina* (Lublin 1965), 132.

³⁰ GERSHON HUNDERT, "An Advantage to Peculiarity? The Case of the Polish Commonwealth", *AJS Review* 6 (1981), 35; S. CYNARSKI (ed.), *Raków: Ognisko Arianizmu* (Cracow 1968), 27-8, 46; J. PĘCKOWSKI, *Dzieje miasta Rzeszowa do końca XVIII wieku* (Rzeszów 1913), 301, 356, 362; N.M. GELBER, *Brody* ("Arim ve-imahot be-yisra'el" vol. 6), (Jerusalem 1955), 31; B. BARANOWSKI, *Życie codzienne*, k 113; W. Cwik, "Ludność żydowska", 36.

³¹ Eg., Lublin (1521), Poznań (1588, 1676), Cracow (1608), Przemyśl (1608), Bełzyce (1636), Jaworów (1641), Pińsk (1641, 1669, 1717), Bełz (1666), Tarnów (1670), Leszno

and the apparently ineffectual response of the towns provides one key to understanding the ability of the Jews to compete successfully with the Christian merchants. The latter were inhibited by the archaic and restrictive customs of the urban marketplace. They would not, or could not, free themselves from traditional modes. The initiative of others unbound by this legacy gradually changed the traditional pattern of urban-rural commercial relations. This includes mainly Jewish and Scottish pedlars who wandered in the countryside and petty merchants and storekeepers who came to supply the needs of the poorer classes in the town.³²

In a variety of places the municipalities and the *qahals* (the elders of the Jewish community) arrived at pacts or agreements which defined such matters as the residence and propitiation rights of the Jews, their freedom to slaughter animals, the degree to which they would pay taxes to the city, and the extent to which they were subject to municipal jurisdiction. Sometimes the relations between Jews and artisan tradesmen were outlined as well as matters related to Jewish commercial activity. Pacts which defined the sphere of Jewish commerce are known early in the sixteenth century and as late as 1778 (Nowe Miasto Korczyn).³³ There is no indication in the agreements of the patriciate of the municipalities allying itself with the Jewish merchants and defending them against the artisans and the rest of the *pospólstwo*. Indeed, the interests of the artisans seem to have been foremost in the minds of the municipal negotiators in a number of cases. At times the

(1686, 1747), Zólkiew (1742). W.K.Z., "Żydzi w Lublinie i ich przywileje", *Izraelita* 25, no. 2 (January 29, 1890), 17; J. LEITGEBER, *Z dziejów handlu*, 84, 89; *HZKI*, 203, 218; M. SCHORR, *Żydzi w Przemysłu do końca XVIII wieku* (Lwów 1903) [Hereafter: *ZP*], 15-16; *Wojewódzkie Archiwum Państwowe w Lublinie* [Hereafter: *WAPL*], *Ks. m. Bełzyce* 5, 21, 235; *Dypl.*, no. 244 p. 135-8; no. 356 pp. 201-2; M. NADAV, "Toledot qehillat Pinsk-Karlin", pp. 75, 116. *Starożytna* vol. II, 1182; J. LENIEK, *Dzieje miasta Tarnowa* (Tarnów 1911), 119-120; LOUIS LEWIN, *Geschichte der Juden in Lissa* (Pinne 1904), 11, 12, 21; N.M. GELBER, "Toledot yehudei Zhulqiev", col. 54.

³² See A. MANIKOWSKI, "Zmiany czy stagnacja?", 787.

³³ M. HORN, *Żydzi na Rusi Czerwonej*, 165; *Starożytna*, vol. II, 343; *Volumina Legum*, ed. J. Ohryzko (St. Petersburg 1860), vol. II, pp. 51 (1538); 68 (1567), 94 (1568).

so-called pacts were no more than a means of extortion by the municipality, while at other times they were the fruit of bribery by the Jewish community. It is true that relations between Jews and Christian artisans intensified and the animosity on the artisans' side grew noticeably during the seventeenth century. This occurred not only because of the growing number of Jewish artisans and the increasingly difficult economic situation, but also because of the widening significance of Jewish merchants who more and more controlled the raw materials the artisans needed and marketed goods which competed with the artisans' products.³⁴

In Lublin, for example, the pewterers complained of "Armenians, other merchants and Jews," who purchase goods in Lublin to the detriment of the guild. The locksmiths and watchmakers were concerned about Jews, Lithuanians and Scots who were selling merchandise produced elsewhere. The hatmakers had similar concerns.³⁵ In most towns the shoemakers' guild had the right of first refusal on hides brought to town for sale. Repeatedly though, complaints were voiced by those guilds against Jews "acquiring the goods of their trade."³⁶ Such complaints were raised in

³⁴ For the view that these pacts represented a change in the situation of Jewish merchants see *Dhz*, pp. 60-2. For pacts in which commercial matters are treated see: M. BALABAN, *Żydzi lwowscy na przelomie XVIgo i XVIIgo w* (Lwów 1906), no. 16 pp. 17-20 Lwów, 1581

Ibid., no. 34 pp 36-9 Lwów, 1592

Ibid., no. 81 pp. 105-9 Lwów, 1629

AGZ X, 2416-2417 Kamieniec, 1589

HZK I, 200-1 Kazimierz-Cracow, 1609

Ibid., 201-2 Kazimierz-Cracow, 1615

J. PERLES, *Geschichte der Juden in Posen* (Breslau 1865), 21 Poznań, 1617

Lustracja województwa sandomierskiego, 1660, cz. I, 59-60, 63 Jaworów, 1641

ZP, no. 74 147-52 Przemysł, 1645

J. LENIEK, *Dzieje miasta Tarnowa*, 119-20 Tarnów, 1670

HZK II, 101 Olkusz, 1680

And see the concern over Jews violating the pact in Poznań expressed by the *kesherim* of the *gahal*. Dov Avron (ed.), *Pingas ha-kesherim shel gehillat Pozna* (Jerusalem 1966) no. 394, p. 80 (1641).

³⁵ *Lustracja województwa lubelskiego*, 1660, 100; BELA MANDELSBURG-SCHILDKRAUT, *Mehkarim le-toledot Yehudei Lublin* (Tel Aviv 1965), 75-7, 103.

³⁶ This was a very common complaint. See, for example *Lustracja województwa sandomierskiego*, 1660-1664, cz. I, 62, 123; *Wojewódzkie Archiwum Państwowe w*

1636 in Belzyce, for example, when, after decrying the fact that though the Jews were entitled to only ten houses, "They already have twenty," the townsmen asked that something be done on behalf on the shoemakers and the furriers who were unable to acquire their furs and hides except from Jews. Their complaints were ignored since in the next few years the sources reveal a great many transactions in which Jews sold hides and furs to guild elders "for their trade" (*do rzemiestła swego*).³⁷

Jewish Merchants in their Community

The Jewish community was oligarchic and the leaders were characteristically merchants. This began to change in the course of the seventeenth century as the power fell more and more into the hands of those with ties to powerful magnates.³⁸ Still, merchants continued to be influential members of their communities and sought to have their own interests served. That the Council of the Lands (an institution comprising representatives, lay and rabbinical, of Jews in all regions of the country), which came into being during the second half of the sixteenth century, met regularly at the great fairs at Lublin and Jaroslaw is a sign of the preponderance of merchants among the leaders. Some local Jewish communities attempted to enact what amounted to a law of staple to the severe detriment of Jewish merchants from elsewhere. In 1637, for example, the Lithuanian Council modified the limitations imposed by the Wilno *qahal* on Jewish merchants from outside the town.³⁹

Tarnobrzegu z sędziba w Sandomierzu, Akta miasta Sandomierza 10, p. 207v; WAPL, Ks. m. Opola 9m p. 541; *Lustracja województwa ruskiego 1661-1665* (Wrocław 1974), cz. I, 21; M. HORN, *Żydzi na Rusi Czerwonej*, 164; E. HORN, "Położenie", 27.

³⁷ WAPL, Ks. m. Belzyce 5, pp. 12-13, 21, 78-9, 104-5, 129, 148, 162, 169, 170, 196, 202, 224, 275-6, 371, 374, 377, 546, 551.

³⁸ There is a need for more analysis and study of the nature of leadership and the wielding of power in the East European Jewish community in this period. For now see particularly, BENZION DINUR, *Be-mifneh ha-dorot* (Jerusalem 1972), esp. 92-139; JACOB KATZ, *Massoret u-mashber* (Jerusalem 1958).

³⁹ SHIMON DUBNOW (ed.), *Piqas ha-medinah* (Berlin 1925) [Hereafter: PML], no. 289 p. 60, no. 334 p. 70; Cf., MAJER BALABAN, "Die Krakauer Judengemeinde-Ordnung

Jewish merchants coming to Lithuania from Poland, however, were to be discouraged, even bribed, to stay out. "If someone comes from Poland to Brisk (Brześć Litewski) or to the other leading communities near the border, permission is granted to negotiate with him and to give him up to thirty florins so that he will not enter Lithuania."⁴⁰

The *qahal* was all-embracing in its authority and was legally responsible for the Jewish community. Thus, in an effort to forestall difficulties, the *qahal* supervised all commercial transactions with non-Jews. If it was determined that a Jew would be unable or unwilling to meet his obligations, it was the responsibility of the elders to warn the non-Jew of the danger, "and for this they will be blessed."⁴¹

Credit, nonetheless, was the foundation of Jewish commerce. Certainly by the end of the sixteenth century Jews were characteristically borrowers rather than lenders. In his Talmudic commentary Rabbi Solomon Luria (c.1510-1574) remarked that "nowadays, most of the livelihood of Jews is based on credit. Most of those called merchants have little of their own and what they do have is in fact taken from gentiles on credit for a fixed period... ." Lending at interest between Jews became widespread and it was necessary for the legal fiction of *heter isqah* to be reformulated in accordance with the specific conditions of the time and place. This occurred at a synod of rabbis and leaders led by Rabbi Joshua ben Alexander Falk in 1607. Polish Jews also developed a specific form of credit note called *mamran* which was a negotiable and transferable instrument.⁴²

von 1595 und ihre Nachtrage", *Jahrbuch der jüdisch-literarischen Gesellschaft in Frankfurt a/M* XI (1916) [Hereafter *JlG*], p. 92.

⁴⁰ *PML*, no. 640 p. 156, no. 566 p. 134, no. 657 p. 158. For references to Cracow merchants at Lithuanian fairs see JOSHUA HOESCHEL BEN JOSEPH, *Penei Yehoshu'a* (Łwów 1860), qu. 10, p. 32a. Cf., A. WAWRZYŃCZYK, *Studia z dziejów handlu Polski*.

⁴¹ *JlG* X (1912), p. 310; *PML* no. 26 p. 7, no. 163 p. 38.

⁴² H.H. BEN-SASSON, "Poland", *Encyclopaedia Judaica* (Jerusalem 1972), vol. 13, col. 729. Cf., G.D. HUNDERT, "Jews, Money and Society", *passim*; ABRAHAM M. FUSS, "The East European *Shetar mamran* Re-examined", *Dimé Israel* 4 (1973), Li-Lxvii.

Beginning at the end of the sixteenth century the *qabals* and the councils evolved elaborate and harsh provisions for bankruptcies.⁴³ Among these was the requirement that the bankrupt person swear a solemn oath before the open Ark of the Torah to the effect that he was, in fact, without resources. Likewise his wife had to make a similar declaration before the beadles of the community. All his property was seized by the elders to be sold within six months for the benefit of his creditors. A ban was pronounced against him in the synagogue and he, his wife and his children were required to be present. If he failed to surrender his property or was otherwise recalcitrant despite the ban, he might have been jailed by the community for periods ranging between eight and thirty days. These regulations seem to have been enforced at least during the greater part of the seventeenth century.⁴⁴ They were directed particularly against fraudulent claims of bankruptcy, which might have had dire consequences for the Jewish community as whole. There was a desire too, to keep the number of legitimate bankruptcies to a minimum since each one would potentially have reduced the credit available to the community. Further, despite royal edicts warning against the practice, the *qabals* were often held responsible for the debts of defaulting individual Jews.⁴⁵

Defaulting on a debt or declarations of bankruptcy had serious consequences not only for the elders but also for other members of the community. Jewish merchants sometimes had their goods seized or were themselves arrested because of the debts of others from their town.⁴⁶ The debtor himself faced not only communal

⁴³ See *JlG* X, 335-6, XI, 107-8; ISRAEL HALPERN (ed.), *Pinqas va'ad arba arazot* (Jerusalem 1945) [Hereafter: *PVAA*], no. 11-149 pp. 45-51, no. 167 p. 59, no. 189, 190 p. 70, no. 308 p. 133, no. 850 p. 452, no. 869 p. 459, no. 875 p. 461, no. 910-913 p. 476, no. 930 p. 492, no. 945 pp. 499, 517-518. Cf., PAWEŁ DICKSTEIN, "Taqaot va'adei Polin al ha-borhim", *Ha-mishpat ha'ivri* I (1918), 27-96.

⁴⁴ *PVAA*, no. 2 p. 46, 518.

⁴⁵ M. SCHORR, "Krakovskii svod evreiskikh statutov i privilegii", *Evreiskaya Starina* II (1909), 99.

⁴⁶ *ZP*, no. 107 pp. 186-8.

sanctions but also the wrath of his creditors: royal edicts of 1633 and 1658 which forbade Christians who had monetary claims against Jews to resort to violence were reflections of the dangers which awaited those who could not pay their debts.⁴⁷ A rabbinical responsum records the instance of a Jew who fled Poland because he could not pay his debts and travelled to Amsterdam where he assumed a different name. He lived there until it seemed to him that sufficient time had elapsed whereupon he returned home.⁴⁸ This example may be somewhat extreme but it illustrates the apprehensiveness of the defaulter. Nevertheless, the violence of the age should not be minimized. There can be no doubt that physical abuse was resorted to from time to time to persuade reluctant debtors to honour their obligations. Further, it was of paramount concern to a merchant to protect his name. If he became known as a poor risk he was in danger of losing his livelihood.⁴⁹

When a merchant defaulted on a debt the creditor could also resort to the courts, usually at a fair, and have the goods of his debtor seized and, sometimes, the man himself imprisoned.⁵⁰ This was a rather extreme procedure to be followed only when no compromise was possible. Rabbi Mordecai Jaffe (1530-1612) remarked that merchants continually granted long extensions to their debtors, "making compromise after compromise."⁵¹ Thus, when the records, notes and goods of a prominent Jewish merchant and "citizen" of Opatów were seized after his death in 1707 four *mamrans* were found. Two were for periods of twelve years, one for nineteen, and the fourth for twenty-three years.⁵²

⁴⁷ *Dypl.* no. 379 p. 216.

⁴⁸ MENAHEM MENDEL BEN ABRAHAM KROCHMAL, *Šemah Šedeq* (Amsterdam 1675), qu. 108, p. 160b.

⁴⁹ HAYYIM HILLEL BEN-SASSON, *Hagut ve-hanbagah* (Jerusalem 1959) [Hereafter: *HvH*], p. 60.

⁵⁰ J. MORGENSZTERN, "Regesty... 1633-1660", no. 229, p. 130; *Dypl.*, no. 229, p. 130; *HZK I*, pp. 273, 276.

⁵¹ *Levush ir shushan*, hoshen mishpat, pp. 65a-66b, as quoted in *HvH*, p. 61.

⁵² Warsaw, Archiwum Główne Akt Dawnych, Archiwum gospodarcze wilanowskie, Administracja dóbr Opatowskich I/108.

The *qahals* were vigilant in supervising relations with non-Jews not only in matters of credit; they also attempted to limit competition between Jews who did business with them. Cases of *ma'arufia*, the exclusive right to deal with a particular non-Jewish customer, being sold or licensed by a *qahal* are known in Poland as late as the second half of the seventeenth century.⁵³

The *qahal* officials in Poznań included supervisors of wool dealers, hide dealers, tailors, clothing dealers, storekeepers, furriers, and so on. The principal task of such supervisors was the auditing of accounts to ensure that the correct amount of tax was rendered to the *qahal*, though they may have been involved also in the coordination of certain oligopsonic techniques.⁵⁴ The existence of such officials probably indicates that the pursuers of each trade were organized in guilds. In Cracow a furriers' guild was formed in 1613 which consisted of merchants and pedlars of finished furs. With their own place of prayer and elaborate regulations for the collection of charity from the members, this guild was formed primarily so that disputes among themselves could be resolved by (lay) judges appointed by the guild, and in an effort to limit competition among the members. Unfortunately only one laconic document has survived and thus little more can be said about this guild.⁵⁵ Another document, from the end of the eighteenth century, indicates the existence of an organization of female Jewish pedlars of corals and other trinkets.⁵⁶ The question of the organization of Jewish trade requires further study. It is known that in Cracow, for example, the *qahal* did appoint officials who supervised the weights and measures used by Jews. A person

⁵³ F.H. WETTSTEIN, *Divrei hefes mi-pinqesei ha-qahal* (Cracow 1898), no. 28, 32-3; *HZKI*, 306; Shemu'el ben David Moshe, *Nahlat shiv'ah* (Fürth 1662), qu. 65, 34a-34b; J. Katz, *Massoret*, 73-4.

⁵⁴ J. PERLES, *Geschichte der Juden in Posen*, 54n; D. AVRON (ed.), *Pinqas ha-kesherim*, no. 220 p. 46, no. 311 p. 63, no. 1242 p. 209, no. 1737 p. 306.

⁵⁵ F. WETTSTEIN, *Qadmoniot mi-pinqesa'ot yeshanim* (Cracow 1892), no. 8 p. 26.

⁵⁶ "... my tylko... stare Korale przedaiemy..." Cracow, Archiwum Państwowe Mias-ta i Województwa Krakowskiego [Hereafter: APMK], Akta Zydowskie III/11/8.

whose scales were found faulty was to be fined and denounced in the synagogues "as one who steals from the community."⁵⁷

In matters affecting commerce the *parnas ha-hodesh* (Chairman of the Elders: the office rotated monthly) often performed a judicial function. For example, in Cracow, matters of illegal competition came before him, or, if a large sum of money was involved, before all of the communal elders (*roshim* and *tovim*). Disputes relating to the farming of taxes, arendars, and similar matters also came before such lay courts, though an attempt was made to ensure that cases involving money claims, such as unpaid debts, came before rabbinical courts. In fact it appears that many preferred lay courts to those of the rabbis in general and did not adhere to this division of jurisdiction.⁵⁸ These "courts of merchants" were attacked by some of the preachers of the day who wished to restore the absolute hegemony of the rabbinic legal tradition which was displaced in such courts by the unsystematic rulings of laymen based on compromise and common sense.

They sit in judgement and degrade the study of our Torah rendering sentences based on [their own] assessment, arbitrarily perverting the Law. In the majority of cases, the judgements of householders and the judgements of [rabbinical] judges are opposite; the guilty are pronounced innocent and the innocent are pronounced guilty.⁵⁹

A lay court could render judgement much more quickly than a rabbinical court where the proceedings tended to be lengthy because of strict rules regarding the presentation of evidence by witnesses and the common practice of writing to authorities elsewhere for opinions.

In general, the *qahals* tended to serve the interests of merchants, defending the Jewish trade in negotiations with the municipalities, and preserving its offices from infiltration by members of other classes.

⁵⁷ *JlG* X, 331-2; *PML*, no. 364 p. 74, no. 987 p. 269; J. KATZ, *Massoret*, 119-121; *HvH* 188-90; B. Dinur, *Be-mifneh*, 109.

⁵⁹ YOSEF YOSQE BEN YEHUDA, *Yesod Yosef*, ch. 42 as quoted by Dinur, *Be-mifneh*, p. 109, n. 39.

The Jewish Role in Trade and Commerce 1500-1800

The significance of the Jews in Polish commerce increased continuously from the fifteenth century to the end of the eighteenth century. During the sixteenth century Jews were to be found playing a substantial but far from dominant role in Poland's international trade, particularly after about 1550. The importance of the Jews in Polish commerce increased during the seventeenth century with the diminution of the Armenians' share of trade in the southeast, of the Italians' share in central and western Poland, and of the Scots' and Germans' shares of Polish trade in general as each of these groups was Polonized. Recent research suggests as well that the Jews recovered quickly from the disastrous events beginning in 1648-1649 and were able to resume economic activities when the immediate danger had passed.⁶⁰ By the eighteenth century the Jewish role in Polish trade and commerce was decisive though even at that time the very largest commercial houses were in the hands not of Jews, but of non-Polish merchants from German-speaking lands.⁶¹ Jews also became more prominent in domestic trade and the towns where the town owners protected and fostered Jewish commercial activity. Although Jews traded in a very large variety of commodities, certain goods were characteristic. These included furs, hides, wax, wool, cattle among export goods, and textiles, hardware, wine and colonial goods among imports.

Lwów was the main commercial centre in the southeastern part of the Commonwealth for centuries until its importance diminished during the eighteenth century with the meteoric rise of the neighboring private town of Brody. The two major components of international trade in this region were oriental trade with Constan-

⁶⁰ M. NADAV, "Toledot qehillat Pinsk-Karlin", 100-142. And see BERNARD DOV WEINKRYB, *The Jews of Poland* (Philadelphia 1973), 199.

⁶¹ TADEUSZ KORZON, *Wewnętrzne dzieje Polski za Stanisława Augusta (1764-1794)* (Warsaw 1897), Vol II, 161-79; K. KUKLIŃSKA, *Handel Poznania w drugiej połowie XVIII wieku* (Warsaw 1976), 47, 67 and *passim*; G. HUNDERT, "Kivvunei hitpathut ha-mishar ha-sitoni ha-yehudi be-folin ba-me'ot ha-17-18", *Yehudim ba-kalkalah*, ed. Nahum Gross (Jerusalem 1985), 225-236.

tinople and the largely transit trade in cattle from Moldavia, Hungary and Ukraine. Even in the sixteenth century the importance of Lwów's oriental trade had diminished, but the volume of exchange was respectable enough to attract the involvement, for a few decades at mid-century, of certain Sephardi houses of Constantinople, including that of Don Joseph Nasi, (the Duke of Naxos, d. 1579).⁶² The role of Ashkenazi Jews in the oriental trade of Lwów and the region grew during the seventeenth century largely at the expense of the Polonizing Armenians. As early as the middle of the sixteenth century, on the other hand, about twenty percent of the Ruthenian cattle trade was in Jewish hands. In 1579 the Moldavian Gospodar forbade Lwów Jews to penetrate deeply into his lands in an apparently ineffective attempt to protect Moldavian cattle merchants.⁶³ In this period Ruthenian Jews were active also in the export of hides, furs, honey, wax, tallow and red dye and in the import of hardware, textiles and wine.⁶⁴

Lithuanian and White Russian Jews played a prominent role in the export of furs, hides and wax from their own regions and from Russia. Among the important trading centres were Brześć, Grodno, Witebsk, Szklów, Mohilew and during the first half of the seventeenth century, Smolensk. These products reached Western Europe through the Baltic ports or overland to Breslau, Frankfort and Leipzig.⁶⁵

From about the middle of the sixteenth century Jewish merchants from all over Poland, but particularly from Great Poland and especially from Poznań began to play an important part in Gdańsk. They were involved chiefly in the export of wax, hides, saltpeter, wool and cloth, that is, in commodities peripheral to the

⁶² For Don Joseph Nasi see *SRH* XVI, 44-52 and the extensive literature cited there.

⁶³ *AGZ* VII, no. 23v 248-9. Cf., ELEONORA NADEL-GOLOBIC, "Armenians and Jews in Medieval Lvov: Their Role in Oriental Trade, 1400-1600", *Cahiers du Monde russe et soviétique* 20 (1979), 345-88; PIERRE JEANNIN, "The Sea-borne and the Overland Trade Routes of Northern Europe in the XVIth and XVIIth Centuries", *Journal of European Economic History* 11 (1982), 5-59.

⁶⁴ M. Horn, *Zydzi na Rusi Czerwonej* 175; *Dhz* p. 83.

⁶⁵ R. RYBARSKI, *Handel*, vol. I, 330; *Dhz* pp. 109-110.

main export which was grain. The most important imports were textiles, colonial goods, salt and fish.⁶⁶ The Jews of Great Poland were most active in the overland trade with the west exchanging raw materials such as wool and wax for textiles and hardware. As early as 1569 one spoke in Poznań of "Jewish pins" and "Jewish needles".⁶⁷

In his attack on Jewish merchants, first published in 1618, Sebastian Miczynski provided a fairly accurate though hostile and exaggerated picture of the activities of Jewish merchants in the Polish Commonwealth at the beginning of the seventeenth century.

In Lwów, Lublin, Poznań and especially Cracow (not to mention Wilno, Mohilew, Sluck, Brześć Litewski, and Luck) they [the Jews] have five, ten, fifteen, sixteen shops in virtually every stone house, and the shops are full of goods and various commodities, gold, silver, pearls, diamonds and other precious stones, gold chains and bracelets, splendid clothing, rings, ... sabel, sabres, costly jewelled equipment, ... [furs and textiles], pepper, saffron, sugar ... and various spices.

If this is not enough they export to Gdańsk hides, tallow, leather, wool, steel, lead, saltpeter, ... potash and grain on barges, and they also export from the Crown by oxen and horses. ... when some goods arrive in Poland the Jews immediately purchase it all. And when they cannot [purchase it] they consign it in boxes, warehouses and crates to be paid for once they have the money. First they send it to other Jews in the cities and towns for low price, and the worse goods, after all the Jews have been able to satisfy their needs, they sell to the Christians after it has passed through ten hands and for a threefold price. In this way all purchases become more expensive and trade in the crown cities, already impoverished, becomes poorer still. ...

⁶⁶ JAN MAŁECKI, *Związki handlowe miast polskich z Gdańskiem w XVI i pierwszej połowie XVII wieku* (Wrocław 1968), 104 and *passim*.

⁶⁷ *Inwentarze mieszczańskie z lat 1528-1635 z ksiąg miejskich Poznania*, ed. S. Nawrocki, J. Wisłocki. (Poznań 1961), no. 143, p. 102.

The reason [for the weakness of Cracow] is none other than the Jews who destroy the lofty right of staple of the capital city by diverting various goods to other places, by trading in the goods which they have purchased on the roads and at the customs houses in clear contradiction of the pacts between them and the municipality and of the privileges granted by the kings of Poland, of blessed memory, to the city and her merchants. In addition, they export various goods and commodities to Hungary, Moravia, Silesia and other places and in this way they raise the prices. They trade in spices and all sorts of grain, in honey and sugar, in dairy products and other potables, and you have virtually no commodity from the most expensive to the cheapest ... which the Jews do not trade in this city (as in all other cities). And it is not enough for them to sit in the shops to trade, rather some of them carry their goods for sale around the market-place and to the stone houses and in the courtyards in Cracow, Kazimierz, Stradom, Kleparz, Garbarz, Biskupie, Zwierzyniec. If customers need something else they lure them to the Jewish shops promising good and cheap wares. Thus the poor [Christian] merchant cannot buy any proper goods nor sell anything because of the infamous Jew.

I recall some particulars. There is in Cracow, among others, the Jew Bocian: aside from other trading and [what he] floats down to Gdańsk, he has seven shops in Cracow, and his agents are located virtually everywhere in Poland. His transactions involve three or four hundred thousand zloties for you have no goods in which he does not trade. There is a Jew, Moses, who imports various goods from Frankfurt, Leipzig, the Netherlands, whence Cracovians once imported goods, but now [they receive them] from this wicked [Jew]. There are two brothers, sons of Israel, who travel to Lwów where various goods arrive from Turkey, especially Persian furs, as many as two thousand, and they purchase almost all the furs. Moses Świetlik has all the sable in his hands and has agents at fairs in Moravia, Vienna and Prague. He purchases goods [there] and sells them for double the money to the distressed merchants [here]. Faywel collects three times one hundred thousand zloties from the deception of Gdańsk merchants and Elbląg merchants ... There are other infamous skunks whom I have not mentioned. ...

Come to Lwów. What can a local or foreign merchant achieve there? Were a few Armenians not active the city would have been desolated. The Jews of Lwów have understandings with Jews in Wallachia and Turkey and especially Constantinople, and from this they have all the trade and all the goods in their hands. There is especially Marek known as Bogaty ("the rich") and, among others, Lachan (Nahman), who obtains gold cloth and silk goods and Persian furs from Turkey, Wallachian fox, and wax, oxen, tallow, hides and saffron from the merchants there, and also all sorts of goods from Sluck and Mohilew merchants, ...

About you, Lublin, what shall I say, you who suffer from such hellish harm in all trades ... Everything is in the hands of the infamous Jews who so fill that small market-place of yours that you cannot find a Christian among them.

I come to Poznań. What do I find here? Although this city recently strongly defended itself (it is worthy of praise more than others for it fully looks after itself), nevertheless [I find] almost all the sorrows which are in other places. Until recently Marysz Mazur and Moses Długi (the "long") and his sons went to trade in Leipzig, Frankfort and other cities here and abroad, [transacting] several tens of thousands of zloties. Now, Moses Fekus buys for several hundred thousand, Lewek Bogaty also, Jelen for one hundred and fifty thousand, deals in all sorts of goods from Nuremberg, Leipzig, Frankfort and those which come from France, Netherlands, Lubeck, Hamburg, Stettin, Amsterdam, Sweden, Norway, and Muscovy, by sea to Gdańsk, he has agreements with overseas merchants, and he buys and sends to the fairs to be sold to Christians for double or triple the price. ...

In Warsaw during the Sejm ... even though the Jews lack permission to display their goods, they nevertheless conduct trade and credit operations ... in the shops and the inns, just as they do in other cities. In Wilno, Grodno, Brześć Litewski, Mohilew, Pińsk, Kiev, Luck, Włodzimierz, Gniezno, Płock, Łęczyce, Sandomierz, Przemyśl, have they not brought the merchants and burghers to a state of poverty, displacing them from their livelihoods?

... in the sale of goods they act in this manner. The Jew sits on chair in his shop, dressed like a lord, like Beelzebub, with his tens of

prying hunter Jews who by sham and trickery lure to him *szlachta* and other people to purchase. He does business there in [amounts of] two, three or four hundred zloties a day, while the poor Christian in his shop, in the cloth hall or in his store sits and sometimes does not handle a grosz all day, looking to see if anyone is coming to him to buy. When someone does come in a herd of Jews appears ... telling him there are good and cheaper wares to be bought from Bocian, Isaac, Moses, or Jacob. They even wait outside the town asking those who pass, "Gentlemen, what will you buy?" and sending them to the Jews.

Similarly at the fairs, and especially the main ones such as Łęczyce, Lowicz, Poznań, Gniezno, Toruń, Lublin, Lwów, Jarosław and Cracow, they travel in groups so that few Christians are seen among them. They gather together no small sum of money and by magic obtain the best goods from the foreign merchants The poor Christian loses much time selling the few goods he has and finally does not sell them and has not the money to buy other goods. The irritation [caused] by this nation of scoundrels does not end here. Wishing in everything to harm the Christians they come early to the fairs, because they have nothing else to do, and rent the best places for display of goods, keeping one place and renting another to Christian merchants or artisans for large amounts of money...⁶⁸

Note the emphasis on international ties, on forming consortia to make large purchases, and on unconventional behaviour. In these ways "and by magic" Jewish merchants outstripped their Gentile competitors. In fact, during the first half of the seventeenth century Jews were characteristically suppliers of goods for export to the great merchants who were typically neither Jewish nor Polish. In 1646, for example, a consortium of eight Jewish merchants, three from Cracow and five from Lublin, undertook to deliver to Alexander Reytt of Tarnów hides and wax worth fifty-three thousand zloties.⁶⁹ Jews were the principal suppliers to the

⁶⁸ SEBASTIAN MICZYŃSKI, *Zwierciadło Korony Polskiej Urazy ciężkie, y utrapienia Wielkie, Ktore ponosi od Żydów Wyrzaiące Synom Koronnym Na Sejm Walny w Roku Pańskim 1618* (Cracow n.d.), 27-32. Cf., I. HALPERN, *Beit yisra'el* II, 245-47.

⁶⁹ APMK, *Acta palatinalia Judaica Cracoviensia*, *Varia* 12, 2017-2038.

great company of Samuel Edwards, based in Toruń, and Jews acted as agents for the English Eastland company in Poznań.⁷⁰

During the second half of the seventeenth century and subsequently, the Jewish share of Polish commerce increased dramatically. By 1700, as much as two-thirds of the trade with Silesia was in Jewish hands. The proportion of Jews among Polish merchants at the Leipzig fairs became overwhelming during the second half of the eighteenth century.⁷¹ Jews were important in the overland import of Hungarian wine and the exporting of furs and wax from Russia. Indeed, there was no branch of Poland's international commerce in the eighteenth century in which Jews were not a substantial and sometimes dominant presence. Similarly, in domestic commerce Jews became predominant particularly in the numerous private towns. While in the crown cities like Cracow and Lublin, Lwów and Poznań competition between Jew and Catholic continued to be fierce and with frequent litigation, appeals to authorities, fines and legislation; in the private towns Jewish merchants encountered little opposition or competition because they were supported by the town owners who saw in them a chance to enhance their own revenues, and because the Christian residents tended not to be engaged in commerce.

By the end of the early modern period, in the second half of the eighteenth century, Jews played a dominating role in Polish domestic commerce and were very prominent indeed in international trade. Nevertheless, Jewish merchant activities were characterized by small quantities and rapid turnover and the greatest merchants in the land were neither Catholic nor Jewish Poles but Germans, Scots, Frenchmen and other foreigners. It might be added, finally, that Jewish prominence in Polish commerce

⁷⁰ J. WÓJTCOWICZ, "Toruńskie przedsiębiorstwo handlowe Samuela Edwardsa", 225; Leon Koczy, "Studia nad dziejami gospodarczymi Żydów poznańskich przed połową wieku XVII", *Kronika miasta Poznania* 12 (1934), 353-55.

⁷¹ MAX FREUDENTHAL, *Leipziger Messgäste. Die jüdischen Besucher der Leipziger Messen in den Jahren 1675 bis 1764* (Frankfurt a./M. 1928); RICHARD MARKGRAF, *Zur Geschichte der Juden auf den Messen in Leipzig von 1664-1839* (Bischofswerda 1894).

reached its greatest extent in the eighteenth century. The period ended not only with the partition of the country, but also with the beginnings of the appearance of a Polish Catholic bourgeoisie. The progressive urbanization of the nineteenth century caused profound changes in the role of the Jews in Polish commerce.⁷²

⁷² GERSHON HUNDERT, "The Implications of Jewish Economic Activities for Christian-Jewish Relations in the Polish Commonwealth", *The Jews in Poland*, ed. Anthony Polonsky *et al.* (Oxford 1986), 55-63, 226-231.

