

The Decline of the Kraków Jewish Community in the Early Modern Period

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At the end of the 16th century Kraków's Jewish community was the most important *cahal* in Poland. This situation lasted until the middle of the 17th century. Just a century later Kraków's elders were begging the voivode of Kraków to protect them against claims of smaller communities, such as Wodzisław, which demanded jurisdiction over Jews in villages just by the walls of Kraków's agglomeration. The lecture will show how the changes in Jewish demography as well as the king's resignation from jurisdiction over Jews in private estates and other changes in political system of the Polish Commonwealth affected the situation of Kraków's community and resulted in its loss of power in the state and among the Jewish population in Lesser Poland.

Key words: Kraków. Jewish community. Lesser Poland. The Early modern period.

At the end of the 15th century it was certain that the Kraków Jewish community was the most important community in the Crown of Poland. Whereas the Jewish community of Poznań was the largest, the community in Lwów the wealthiest, the Jewish *kahal* in Kraków definitely was the most influential. There is no doubt that the presence of royal court and many links between the community, the individuals, and the court were beneficiary not only economically but also politically. Despite the forced resettlement of Cracovian community at the end of the 15th century to the Kazimierz, a satellite town on the side of the river Vistula, the prominence of the community was preserved among the Polish Jewry. The so-called expulsion was a rather constrained compromise from the viewpoint of the Jewish elders which solved the problem of 1485 when the so called agreement with the Kraków magistrate practically made an almost entire Jewish commerce illegal.¹ Settling in the Kraków vicinity in a separate Jewish quarter which was put into a jurisdiction of another town, solved the problem of opposition from the Kraków burghers and allowed Jews to practice commerce and crafts without hindrance.² Of course their main area of economic activity, the market, was in Kraków which meant that the Kraków magistrates, merchants and artisans were trying very hard to stop any Jewish commerce in the city by all possible means.

The resettlement also created a very interesting situation as far as jurisdiction was concerned. In the Crown chancery's view it was still the same community of Jews of Kraków though it was located in the neighbourhood of the capital city. It was ruled by the jurisdiction of the king, then the jurisdiction of the Voivode of Kraków and locally by the city of Kraków. Nevertheless it was located in a town which was also royal but was under a different type of jurisdiction (*wielkorządca* – administrator of royal estates which after the reform of the Polish treasury became part of the king's private income).³ This situation would have had some implications in the following years.

1 *Kodeks dyplomatyczny miasta Krakowa 1*. Ed. Piekosiński, F. Kraków 1879, 193. See: ZAREMSKA, H. *Żydzi w średniowiecznej Polsce. Gmina krakowska*. Warszawa 2011, 208-209.

2 Such opinion is presented in the last chapter of Hanna Zaremska's book: ZAREMSKA, H. *Żydzi w średniowiecznej Polsce. Gmina krakowska*. Warszawa 2011, 493-504.

3 Though Franciszek Leśniak in his book only cursorily treated that problem: LEŚNIAK, F. *Wielkorządca krakowscy XVI – XVIII wieku : Gospodarze zamku wawelskiego i majątku wielkorządowego*. Kraków 1996, 252-253.

The next century was the golden age for the Jewish community in Kraków. Hardly anybody could disagree with Majer Bałaban's statement in his classical though perhaps lacrymose history of Jews in Kraków. As a doyen of historians of the the Polish Jewry he depicted it here in the period of economic, cultural, and spiritual growth.⁴ Despite some problems (for instance the immigration of a large group from Bohemia) Jewish kahal in Kraków flourished, not only as the most economically important community in the region (Little Poland) but as well centre of political and spiritual leadership in the whole state. The royal exactors of Jewish taxes in the Crown of Poland (Abraham Bohemus and Franczek) in the first half of 16th century were recruited from the ranks of the Cracovian Jewry.⁵ Also, the most influential rabbi in the 16th century Poland Moses Isserles, the author of *Mappa*, a commentary on the *Shulhan Arukh* codex of halahic customs and laws resided here.⁶

By contrast the situation of the Kraków community in the middle of the 18th century was completely different. It was still a relatively large community, but whereas the 16th century kahal overshadowed other small Jewish settlements in Little Poland, the 18th century Kraków was home to only a small minority of Jewish population in the region. And of course there were still a number of wealthy Jews in Kazimierz but the majority of its residents were rather poor. In the second half of the 17th century the Jewish city in Kazimierz was already in bad shape. Visiting French traveller Payen described it as: „*przedsiónek piekła, tak jest brudne, cuchnące, zarażone, ulice bez bruku, domy jednopiętrowe, wyglądające raczej na stajnie*” [anantechamber of hell, so dirty, stinking, infested, streets unpaved, one-floor houses, which looked like barns], while another French traveller Andree Thevet in the 16th century thought that Jews in Kazimierz lived in houses that were quiet fine.⁷

The community located in Kazimierz also lost its prominent position among the communities in the Kraków and the Sandomierz regions. Greatly revealing here are the letters written by Piotr Gordon, the deputy voivode to the voivode of Kraków Ksawery Branicki on behalf of the Kraków Jews. He supported the plea of the Kraków elders who were begging the voivode of Kraków to protect them against claims of other communities, such as Wodzisław, which demanded jurisdiction over Jews in villages just by the walls of the Kraków agglomeration. He asked Branicki to address a letter to the judges of the Crown Treasury Tribunal in Radom, requesting them to confirm the ruling passed by the Jewish assembly (Council of Four Lands) which pertained to the territorial competence of the Kazimierz kahal to include the Jews residing within two miles (Polish, e.g. just over 14 kilometres) of the town's walls.⁸ One year earlier the same deputy voivode asked Branicki to address a letter to the Crown elders extending his support for the kahal in the dispute about kahal jurisdiction of the town of Wieliczka.⁹ It was the last dependent community which was still under jurisdiction of the Kraków kahal. At least in the case of Wodzisław it was one of the major kahals in the Kraków voivodship whereas in the case of the elders from Wieliczka in Kazimierz, they were quarrelling with one of the smaller communities such as Wiśnicz. Gordon also supported the request that came from the Kraków elders concerning their tax allowance which were

4 BAŁABAN, M. *Historja Żydów w Krakowie i na Kazimierzu 1304 – 1868*. Vol. I – II. Kraków 1931 – 1936.

5 HORN, M. Jewish jurisdiction in Poland-Lithuania till 1548. In *Acta Poloniae Historica* (LXXVI) 1997, 5-17.

6 See also paper by Elchanan Reiner on Jacob Pollack who was universally recognized as the founder of the Jewish scholarship in Poland; REINER, E. Rabbi Ya'akov Pollack of Kraków : First and Foremost among Kraków's Scholars [in Hebrew]. In REINER, E. *Kroke-Kazimierz-Kraków. Studies in the History of Kraków Jewry*. Tel Aviv 2001, 43-68.

7 PIERADZKA, K. Kraków w relacjach cudzoziemców. In *Rocznik Krakowski* (XXVIII) 1937, 219.

8 *Sejm Czterech Ziem. Źródła*. Eds. Goldberg, J. – Kaźmierczyk, A. Warszawa 2011, 380-381.

9 *Ibidem*, 378.

previously granted by the Jewish Crown elders on demand of the Crown Treasurer (but due to the intervention of the voivode).

Some can assume that this downfall of the Cracovian Jewry was caused but the general decline of the city. Of course nobody could discount that factor but I think that it had only secondary impact. There were other reasons for this situation. First of all there were other previously significant Jewish communities located in large royal cities that did not fare any better.¹⁰ The aforementioned communities of Lwów and Poznań lost their supremacy in Red Ruthenia and Great Poland respectively. Lwów had been surpassed firstly by Żółkiew then by Brody which became the largest Jewish community in Poland, while Poznań by Leszno. All of them were located in private towns.¹¹

It implies that we should seek elsewhere for the main reason why the Jewish community in Kraków lost its significance, especially for those causes which affected the internal structure of the Polish Jewry in the period between the end of the 15th Century and the middle of the 18th century. We should point out that the legal situation of the Polish Jewry at the beginning of the period of the relevant interest was unique. Poland was the only state in Central and Eastern Europe where the king still had jurisdiction over Jews at the end of the 15th century. In other countries the process of passing jurisdiction over Jews to other subjects was well advanced. Only during the reign of Sigismund the Old the king was forced to resign the jurisdiction over Jews who lived in estates of the nobility (eventually in 1539).¹² Polish nobility encouraged more and more Jews to settle in their estates, especially in the eastern parts of the Commonwealth. In the case of Little Poland it meant that sometimes the landlords accepted Jews expelled from certain royal cities. Threatened by the Jewish economic competition, the burghers were trying every possible measure to remove them from royal towns, the Little Poland Jews were removed from all major royal towns by the beginning of the 17th century. For instance, the Jews who were expelled from Bochnia after they fell victim to the accusation of profaning the Holy Host, settled nearby in Wiśnicz.¹³ Till the middle of the 17th century the burgers of nearly all major royal cities located in the Kraków voivodeship managed to remove or eclipse Jewish settlements in their towns (*privileges de non tolerandis Judaeis*).¹⁴ It resulted in the growing numbers of Jews who lived in the estates of the nobility, sometimes in suburbs under the noblemen's jurisdiction (so called *jurydyki*). And landlords who tried to

10 More about this problem BAŁABAN, M. *Z zagadnień ustrojowych Żydostwa polskiego. Lwów a ziemstwo rusko-bractawskie w XVIII w.* Lwów 1932; TELLER, A. Radziwiłł, Rabinowicz, and the Rabbi of Świerz : The Magnate's Attitude to Jewish Regional Autonomy in 18th Century. In *Studies in the History of the Jews in Old Poland : In Honor of Jacob Goldberg*. Ed. Teller, A. Jerusalem 1998, 246-276.

11 It is a well-known fact which was recognized but previous generations of historians of the Polish Jewry, they made serious mistakes, though sometimes in only in details, as for instance Bernard Weinryb who claimed that Kraków lost its significance to Pinczów et Leszno [!] WEINRYB, B. *The Jews of Poland. A Social and Economic History of the Jewish Community in Poland from 1100 – 1800*. Philadelphia 1972, 120.

12 *Volumina Constitutionum I – II*. Eds. Uruszczak, W. – Grodziski, S. – Dwornicka, I. Warszawa 2000, 199: „*Qui nobiles in oppidis aut villis suis ludeos habent, per nos licet, ut soli ex eis fructus omnes et emolumenta percipiant, iusque illis arbitrato suo dicant. Verum ex quibus ludeis, nullum ad nos commodum pervenit, eos uti ludeorum iure non permittimus, per nos et antecessores nostros concessio, neque de iniuriis eorum referri ad nos volumus, ut ex quibus nullum sentimus commodum ii nullum etiam praesidium in nobis habeant collocatum*”. This enactment was result of royal concessions after so-called „hens war”, previously granted in 1537 for two years and declared as permanent in 1539; WYCZAŃSKI, A. *Postulaty poselskie 1538 roku*. In *Religie. Edukacja. Kultura Księga pamiątkowa dedykowana Profesorowi Stanisławowi Litakowi*. Ed. Surdacki, M. Lublin 2002, 555-560.

13 WĘGRZYNEK, H. *Czarna Legenda Żydów. Procesy o rzekome mordy rytualne w dawnej Polsce*. Warszawa 1995, 69-72; TETER, M. *Sinners on Trial : Jews and Sacrilege after the Reformation*. Cambridge; London 2011, 158-175.

14 KIRYK, F. – LEŚNIAK, F. *Skupiska żydowskie w miastach małopolskich do końca XVI wieku*. In *Żydzi w Małopolsce : Studia z dziejów osadnictwa i życia społecznego*. Ed. Kiryk, F. Przemysł 1991, 22.

boost the economy of their estates usually granted more favourable privileges to their new Jewish settlers than those which were granted to the Jewish inhabitants of royal towns and cities.¹⁵ It resulted in the shift in the distribution of Jewish population in the whole state and of course in Little Poland as well. A study on Jewish settlements in the Kraków voivodeship has not been available but there is an assumption that situation could unfortunately be very similar to the other part of Little Poland, in the voivodeship of Sandomierz. According to the study by Jadwiga Muszyńska, from the middle of the 16th century to the end of the 18th, the percentage of towns in which the Jewish permanent settlements were noted grew from 31% to 89% which meant that Jews lived practically in all cities and towns of the region, with the exception of towns owned by the Church which were usually very small and in the state of utter decline.¹⁶

But until the middle of the 17th century this process didn't seriously affect the position of Jewish Kraków community. It was still the leading kahal in Little Poland and its members were among leaders of the Council of Four Lands. Chmielnicki's uprising and the following wars with Sweden and Muscovy changed the situation of the Jewry in the Commonwealth considerably. Some older communities were destroyed or severely weakened during the atrocities committed by troops of the fighting forces; other were impoverished by the contributions, taxes, and also by losing resources in the dwindling commerce. During the period of the reconstruction, the landlords tried to restore their estates as fast as possible. Jews were practically the only possible settlers in the majority of regions of the Commonwealth so especially magnates encouraged them to move to their towns and villages. People who were often more resourceful than others migrated from the older communities. Capital migrated as well. New centres were very often more dynamic than the older ones and members of the families from which Jewish secular and spiritual leaders were recruited started to move gradually into them despite precautions and measures taken by communities in royal cities.¹⁷ This was also the case of the well-known formerly Cracovian Jewish family, the Landaus, whose more prominent members resided in Opatów and Tarnów in 18th century.¹⁸ They were looking for greater opportunities (many of them found new occupation as leaseholders of monopolies especially propinacy) but mostly because of the patronage offered by magnates and their officials.

There was a variety of consequences for the Polish Jewry when they resorted to the nobles for patronage. For the owner and his administration it was crucial to have all the subjects in his jurisdiction. In the case of Jews, who had been exempt from the jurisdiction of royal courts (apart from fiscal matters) as mentioned previously since 1539, the most important question to resolve was that of the dependence on Jewish courts. Landowners were keen not to have any townships lying within their domain subject to the jurisdiction of the kahals

15 GOLDBERG, J. Introduction. In *Jewish Privileges in the Polish Commonwealth*. Jerusalem 1985; GOLDBERG, J. O motywach nadawania przywilejów dla gmin żydowskich w dawnej Rzeczypospolitej. In *Parlament, Prawo, Ludzie. Studia ofiarowane Profesorowi Juliuszowi Bardachowi w sześćdziesięciolecie pracy twórczej*. Eds. Stembrowicz, K. et al. Warszawa 1996, 74-78.

16 MUSZYŃSKA, J. *Żydzi w miastach województwa sandomierskiego i lubelskiego w XVIII wieku*. Kielce 1998, 184.

17 MICHAŁOWSKA-MYCIELSKA, A. *The Jewish community. Authority and social control in Poznań and Swarzędz 1650 – 1793*. Wrocław 2008, 195. For instance Council of Four Land dealt with the complaint of kahal of Poznań against one Avraham who left the city and settled elsewhere (in this case in Germany).

18 BAŁABAN, M. *Historja Żydów w Krakowie I...*, 270-271, 274; HUNDERT, G. D. *The Jews in a Polish Private Town. The case of Opatów in the Eighteenth Century*. Baltimore – London 1992, 118-122; KATZ, D. *A Case Study in the formation of a super-rabbi: the early years of rabbi Ezekiel Landau 1713 – 1754*. [doctoral dissertation, University of Maryland, 2004, 44-ff p. [cit. 2012-06-27]. Available in Internet: <<http://drum.lib.umd.edu/bitstream/1903/245/2/umi-umd-1353.pdf>>.

lying beyond their property.¹⁹ Landowners supported the process of gaining independence by smaller Jewish communities. Throughout the entire 18th century, attempts to prevent Jews from referring their cases to foreign jurisdictions, including – naturally – Jewish ones, can easily be traced.²⁰ Moreover own Jews were defended from alien Jewish courts, e.g. from the pronouncement of herem (i.e. Jewish anathema) against them.²¹ Similar situation occurred on higher levels of Jewish self-government (regional councils and Jewish waad). Although the official reason for summoning Jewish councils was the need to distribute the tax burden (poll tax) among particular lands and communities, their responsibilities actually included many areas of the economic, cultural and religious life. Far reaching interference of the magnates could even result in establishing a separate land (galil Hebr., ziemstwo, Polish). This was the case of Podole, where there is strong evidence of close cooperation between Stefan Humiecki, voivode of Podole, and the local Jewish community.²² Despite some attempts of kings this process could not be stopped.

In a universal of 1677, King John III Sobieski says that some Jews „... *rebelliter wzbraniają się, zastaniając się różnemi panów swoich, po których majątnościach domicilia mają, albo jakie arendy trzymają [...] protekcjami*“ (... rebelliter attempt to avoid meeting their obligations using all sorts of protection offered by the landowners within whose estates; they reside and have their domicilia or own leasehold property...). The king ordered them to pay their back taxes and appealed to the nobility to stop protecting and supporting them.²³ On the other hand the independent district of ordynacja (landed property in infideicommis) of Zamość was created due to the privilege granted by king Michał Korybut Wiśniowiecki though it should be noted that the estates were in possession of the king's mother Gryzelda at the time.²⁴

Throughout the 18th century, acting entirely in their own interests, magnates did not hesitate to support the members of the general body of the Jewish council who lived within the borders of their estates.²⁵ As a result, it was the Crown elders from the private estates, like Brody, Leszno, Opatów, Żółkiew, who played an increasingly significant role in the structures of the Council of the Four Lands.

A very similar process affected situation of the Kraków kahal across the Jewish communities of Little Poland. According to Majer Bałaban, at the beginning of the 17th century, practically all land elders were members of the Kraków community. Only in the second half of the 17th century the position of the Kraków Jews deteriorated significantly. At the time the daughter communities of Kraków carried litigations with their mother-community. The main cause of discord was the problem caused by the increasing burden of debt which was generated by the community of Kraków. Jews from the region under the patronage of the landlords didn't want to participate in repaying debts of major kahal though quite a share of them were borrowed from nobility and Church institution for the benefit of all communities in Little

19 More on this subject in my book: KAŻMIERCZYK, A. *Żydzi w dobrach prywatnych. W świetle sędowniczej i administracyjnej praktyki dóbr magnackich w wiekach XVI – XVIII*. Kraków 2002, 135ff; HUNDERT, G. D. *Jews in Poland-Lithuania in the Eighteenth Century: Genealogy of Modernity*. Berkley 2004, 100ff.

20 Arch. Państwowe (AP) Lublin, Sąd Komisariski 1, pp. 3-5, 11 VII 1653.

21 AP Poznań, Rawicz I/77.

22 *Sejm Czterech Ziem...*, 317-319. By setting apart part of the Ruthenia district and creating a separate Podole district, including Bractaw voivodship, the actual tax burden of local Jewish people was reduced.

23 LESZCZYŃSKI, A. Uniwersał Jana III wydany 6 V 1677 r. Żydom Korony w sprawie ptacenia podatków i postuszeństwa władzom kahalnym. In *Biuletyn ŻIH* (113) 1980, 86; *Sejm Czterech Ziem...*, 87-89.

24 LESZCZYŃSKI, A. *Sejm Żydów Korony 1623 – 1764*. Warszawa 1994, 73.

25 *Sejm Czterech Ziem...*, 329, 338.

Poland.²⁶ There were also other duties which caused excessive taxation of members of the Kraków Jewry. Besides the poll tax the Kraków kahal used to pay other special taxes and duties. For instance „szpilkowe” (pin’s tax) a special tax due to be paid to a queen²⁷, salaries for voivode, his deputy, Jewish judge [a Christian, usually nobleman who tried cases between Jews and Christians or by appeal of the Jewish courts of law) and many other duties.²⁸ There was even a special obligation at that time changed into pecuniary obligation for the benefit of the royal bestiaire.²⁹

As a result of those quarrels around 1670 an independent kahal ziemstwo (regional level of self-government) from Kraków was created and eventually the Kraków kahal existed in the structures of Jewish self-government as independent but with the similar rights as ziemstwo.³⁰ A Kraków elder tried earlier some kind of obstruction policy, probably avoiding the situation in which they would be forced to comply with an unfavourable condition for their community and they didn’t attend sessions of the Council of Four Lands. Crown elders fined the Kraków community for not sending their representative to Lublin in 1666 r.³¹ It seems that opinion of Adam Teller didn’t exactly depict the complicated situation of Jewish communities in big royal cities: „Very often the largest community in the region (such Poznań in Great Poland) did not take part in the council, preferring to run its own affairs without consulting the other communities in the region and to send its own delegates to the Council of the Four Lands”³² It was a rather enforced situation and last possible resort to defend its once prominent place among Jews in the region.

Later even the jurisdiction of the Kraków kahal over Jews who lived in the proximity of Kraków-Kazimierz came under questioning by other communities. The controversy had to be resolved by the Council of Four Lands in 1692. Apparently the problem of taxing Jews who lived in adjoining Kraków villages and townlets remained because the elders gathered at the Jarostaw Assembly in 1717 decided that Jews living within two miles of Kraków should belong to the Kraków community, and not to the Kraków-Sandomierz province. Furthermore, they gave Kraków elders the right to enforce this resolution by any means.³³

26 Very same situation happened in others parts of Commonwealth, Mordecai Nadav showed that smaller, formerly dependent communities (sub-kahas) were in hard quarrel with major communities of Pinsk over debts; NADAV, M. *Aspekty regionalnej autonomii Żydów polskich*. In *Żydzi w dawnej Rzeczypospolitej*. Eds. Link-Lenczowski, A. – Polański, T. Wrocław – Warszawa – Kraków 1991, 77.

27 Though in 1717 Jews of Kraków were relieved from paying this tax for 6-years, apparently due to their catastrophic financial situation after Northern War, LEŚNIAK, F. *Wielkorządcy krakowscy...*, 141.

28 In second half of the 18th century salary of a voivode of Kraków was 8000 zlotys and 4000 additionally (akcydensy), usually fees for approbations; ZARUBIN, P. *Żydzi w aglomeracji Krakowa w czasach stanisławowskich. Przemiany prawne, gospodarcze i społeczne*. Kraków 2012, Aneks 3, 338-341.

29 In 1691 Wojciech Mazurkiewicz steward and notary of „wielkorządy (royal estates in Kraków)” sued Jewish community in Kraków to the royal high appeal court for not paying customary pension and a special payment for keeping wild beasts at the castle; *Materiały źródłowe do dziejów Żydów w księgach grodzkich dawnego województwa krakowskiego z lat 1674 – 1696. II Lata 1684 – 1696*. Ed. Kaźmierczyk, A. [Source Materials for the History of the Jews in the files of the courts of the Old Kraków’s voivodship], Kraków 2009, 157.

30 LESZCZYŃSKI, A. *Sejm Żydów...*, 70, 89. In 1673 Crown Treasury issued a debenture bond addressed to „niewiernych Żydów starszych ziemskich osobliwie jednak w Krakowie mieszkających [infidel Jews land elders especially those living in Kraków]”. According to Majer Bałaban at least since 1691 kahal in Kraków appeared in records of treasury as independent from ziemstwo (land Kraków-Sandomierz) though Bałaban quoted documents which proved that such situation existed already in seventies of 17th century; BAŁABAN, M. *Historja Żydów w Krakowie I...*, 189, 191.

31 LESZCZYŃSKI, A. *Sejm Żydów...*, 111.

32 TELLER, A. *The Magnates’s attitude...*, 249.

33 *Sejm Czterech Ziem...*, 214-215. Few years earlier Council of Four Lands passed a similar resolution which it seems were questioned by regional elders and especially community of Wodzisław.

But the process of losing power inside the Jewry of the region could not be contained. The economic activity of the Jews was of great importance for the magnates of the region: their role in the noblemen estates increased greatly by the Great Northern War (1700–1712). Magnates were interested in strengthening the position of their Jews by not defending rights of the Kraków kahal. Even voivodes, as we know from the Kujawy example, circumscribed the jurisdiction of the royal kahal which would have been dependent on them if benefited their own interest.³⁴ I think that the fact that during king John the Third's reign, the office of the voivode of Kraków was granted to the magnates from the eastern parts of the Commonwealth as well as the commanders (hetmans) of the Crown army speeded up the process of the waning significance exerted by the Jews in the region. Their deputies (podwojewództwie) who were high ranking officers of the Crown army were not residing in Kraków.³⁵ So the officials who should have been more interested in defending the position of kahal in Kazimierz were not able or unwilling to do it, because for them it was just a benefit to their soldier's pay.

The fact that last chairman of the Council of Four Land from Kraków Zachariasz Mendel Kantorowicz who as elder of the community decided to leave Kraków (taking with himself kahal's registers!) and settled in Pińczów as a local rabbi³⁶ demonstrates the extent to which the Kraków kahal lost its significance among the Jewry in Little Poland. Pińczów was one of five major kahals in the Kraków-Sandomierz land and traditionally records of the regional councils were kept by its elders. The attempt to invite Samson Wertheimer, a court Jew of Habsburgs, to the office of the Kraków rabbi probably might be perceived as the last effort to renovate the importance of the community.³⁷ Till the end of the 17th century, the rabbi of Kraków was a chief rabbi of the whole region. But in 1696 a first time breach between the region and the Kraków kahal occurred and as a result land elders chose the rabbi in Opatów as a chief land rabbi. Even more Jews of Kraków capitulated in 1700 and recognized Heshel land rabbi as a rabbi of Kraków.³⁸ Later similar situation when a land rabbi of Little Poland didn't reside in Kraków wasn't unusual.³⁹ From 1710 to 1731 the rabbi of Szydłów (another major kahal of Sandomierz-Kraków region) held this office. Only after his death Dawid Szmelka son of previous rabbi was elected to the post of the Kraków rabbi and a land rabbi. But due to the eruption of internal quarrels in Kraków as well in the whole of region he lost his office for some years.⁴⁰

Still little is known about real causes of a great turmoil which seized the Jews of the region but the conflict was probably sparked by a conversion of his brother, former rabbi of Szydłów

34 Antoni Dąbski voivode of Brześć Kujawski and heir of Lubraniec granted in 1747 a privilege to Jews of Lubraniec in which he confirmed their independence from kahal in Brześć. Apparently earlier the voivode assured that land elders issued in 1743 favourable for Lubraniec's Jews decree between them and community in Brześć Kujawski; DUMANOWSKI, J. Lubraniec w XVIII w. żydowskie miasteczko i stolica magnackich. In *Kwartalnik Historii Żydów* (203) 2003, 438-439.

35 FALNIOWSKA-GRADOWSKA, A. Podwojewództwie województwa krakowskiego w XVI do XVIII wieku. In *Rocznik Naukowo-Dydaktyczny WSP w Krakowie, z. 158, Prace Historyczne* (XVI) 1993, 184-185; Eadem, EADEM. Sędziowie żydowscy w województwie krakowskim w XVI – XVIII wieku. In *Żydzi w Małopolsce: Studia z dziejów osadnictwa i życia społecznego*. Ed. Kiryk, F. Przemyśl 1991, 37-47. Though the Author didn't take notice of this situation.

36 BAŁABAN, M. *Żydzi w Krakowie...*, 242.

37 Ibidem, 238. See also BAŁABAN, M. Samson Wertheimer, bankier nadworny Leopold I i Augusta II, rabin-nominat krakowsk. In BAŁABAN, M. *Studia Historyczne*. Warszawa 1926, 127-133.

38 BAŁABAN, M. *Żydzi w Krakowie II...*, 263.

39 Once again similar processes could be observed in other royal cities, for instance in Red Ruthenia an office of Land rabbi was divided.

40 Dawid was fined by commission appointed by Teodor Lubomirski voivode of Kraków. Internal quarrels among Jews of Kraków were not of course uncommon earlier as well, for instance in 1715 happened a riot of common Jews against elders (first of all against Mendel Kantorowicz); BAŁABAN, M. *Żydzi w Krakowie II...*, 241.

during the session of the Council of Four Land in 1739.⁴¹ The opponents of the land rabbi tried to take advantage of Dawid Szmelka's problem and invited the son-of-law of Gdal Ickowicz, a great Jewish leaseholder from the Grand Duchy of Lithuania and a protégée of Hieronim Florian Radziwiłł and his mother Anna. During those years the community in Kraków was a battlefield for different factions. Despite the support of certain leading magnates in Poland, Joseph Jonas Theomim Fränkel could not secure his post. It seems that local Jews were just pawns in the hand of their majors – Jewish and Christians alike. A great example here was a letter written by Krzysztof Woroniec an agent of Hieronim Florian in which he assured Szmujto Ickowicz brother of Gdal, who was a cashier general of Anna and her son Hieronim Florian Radziwiłł, that Piotr Gordon a deputy voivode and official of Crown Treasury pacified opposition in Kraków.⁴²

Prolonged conflict definitely didn't bring positive impact on the Kraków Jewish community. Though Szmelka eventually was restored in the position of the land rabbi but till his death he lived outside Kraków. Despite the fact that two key positions from the point of Cracovian Jews were held at the time by two magnates who were related and cooperated didn't help the kahal very much. The aforementioned Piotr Gordon who at that same time served as an official of the Crown Treasury (so subordinate of Grand Treasurer Karol Odrowąż Sedlnicki), a deputy voivode, and a Jewish judge (nominee of Branicki) had to ask on behalf of Jews of Kraków for protection against claims of other communities. Elders of the Kraków community tried as well legal procedures and sued the kahal in Wodzisław for not fulfilling resolutions of the previous decrees issued by the Crown elders in 1756. The charge pertained to the Wodzisław kahal violating the agreements of the Jewish assembly of 1717, and usurping jurisdiction over Jews residing in the Kraków area. The elders of Kazimierz had estimated the losses they had incurred due to the Wodzisław Jews at 10,000 zloty.⁴³ The intervention of Branicki was of no avail for the kahal in Kazimierz as it was not able to win its case. From the verdict of the treasury tribunal of Radom we can assume that the Jews of Kraków had to agree to the unfavourable agreement in 1758. Because the tribunal confirmed the resolution of the Jewish arbitration court which kept only those co-believers who lived in a distance of one Polish mile away from Kraków and Kazimierz under the jurisdiction of the Kraków Jews.⁴⁴ Though elders from Kraków didn't quit and they kept litigating their cause especially with the kahal in Wodzisław until the dissolution of the Jewish self-government.⁴⁵ As a matter of fact the issues of Jewish leaseholders of breweries and inns in the vicinity of Kraków were not solved till the end of Polish state (the Kraków kahal had litigation with Wodzisław but also with the communities in Chrzanów, Działoszyn, Książ and Olkusz).⁴⁶ These circumstances were a result of a long process during which the centre of power among the Jews in Little Poland had been shifted from a once

41 KAŻMIERCZYK, A. Konwersja, jichus i walka o władzę w ziemstwie krakowsko-sandomierskim w latach czterdziestych XVIII wieku. In *W poszukiwaniu religii doskonałej? Konwersja a Żydzi*. Ed. Jagodzińska, A. Wrocław 2012, 31-47.

42 AGAD, AR V 18023, 174, Krzysztof Woroniec do Szmujty Ickowicza, Kraków 17 I 1745: „Do JMP Gorduna listy oddałem i ten przede mną tak mówił, że ja bez żadnej wątpliwości rabina terażniejszego krakowskiego na jego funkcji utrzymuję, starszych krakowskich, którzy byli przeciwne odmieniłem a inszych ustawałem”.

43 *Sejm Czterech Ziem...*, 379-380.

44 *Sejm Czterech Ziem...*, 158.

45 *Sejm Czterech Ziem...*, 389-391, 393-394; BAŁABAN, M. *Żydzi w Krakowie II...*, 260.

46 ZARUBIN, P. *Żydzi w aglomeracji...*, 347.

leading community to the provincial towns, and as I have earlier mentioned this process wasn't unique to Kraków.⁴⁷

The changes in the Jewish demography as well as the king's resignation from jurisdiction over Jews in private estates and other changes in political system of the Polish Commonwealth affected the situation of the Kraków community and resulted in its loss of power in the state and among the Jewish population in Little Poland. Inability of the Commonwealth's political elites to reform the state and to form a modern administration especially the fiscal one created conditions in which the Jewish self-government could exist for such a long time. It was preserved till 1764 despite the fact that since the second half of the 17th century it couldn't meet the obligations toward the state which secured that it was accepted by kings and treasurers.⁴⁸ There was an attempt for some reforms at the Diet of 1717⁴⁹ but they could change the system fundamentally. It seems that by submitting to the status quo after the Council of Four Lands in 1717 in alliance with the practice in which the marshal with scribes (wiernicy) came under stricter control of the Crown Treasurers expedited the process of diminishing the prominence of the Jewish communities in royal towns. In a situation when there were many different centres of power it was always those who as the clients of Crown Treasurer or the most powerful landlords were able to have the upper hand in the internal affairs of the Polish Jewry.

The long established symbiosis between the Polish magnates and the Jews weakened the position of practically all communities which were located in royal towns. The magnates' patronage and their economical policy (autarchy) resulted in a situation in which the communities located in smaller towns had advantage over the elder ones which were in royal cities (often their mother-communities). Jewish land elders self-assured by the patronage of their landlords were concerned mostly about preserving their own supremacy over all Jews in the region.

When the first reforms were undertaken to restore order in the state the Jewish self-government was immediately abolished and certain issues created by the Jewish oligarchy disappeared as well.⁵⁰ It was not coincidental that after 1764 some formerly major communities rapidly started losing their significance among the Polish Jewry as for instance Opatów in Little Poland in which in the first half of the 18th century was the leading kahal (among others it manifested in „the Landau family which begun to dissociate itself from Opatów and move elsewhere“).⁵¹

47 According to proceedings of regional council in Bóbrka (Red Ruthenia) in 1740 representatives of Lwów community to that meeting were nominated by land rabbi and Jewish Ruthenia marshal, who of course resided at the time in Żółkiew and later in Brody; *Sejm Czterech Ziem...*, 358.

48 At the beginning Crown elders just collect the tax and carried it to Treasury, but already in 17th century they mostly issued assignments to particular kahals and tax were collected by deputies of military units, *Sejm Czterech Ziem...*, 358.

49 *Volumina Legum VI*. Petersburg 1860, 290. Amount of poll-tax was established at 220.000 yearly and became an addition to hiberna paid to units of cavalry. As later practice showed general Jewish scribes were confirmed by Treasurers, and their main responsibility were preparing so-called dyspartymnt (general distribution of the tax among lands, districts and independent kahals). Later Treasurers issued assignments to units of Crown army.

50 *Volumina Legum VII*. Petersburg 1860, 44-50.

51 HUNDERT, G. D. *The Jews in a Polish Private...*, 132.

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