CHAPTER FOUR

‘... propter disparitatem linguae et religionis
 pares ipsis non esse ...’

‘Minority’ Communities in Medieval and Early Modern Lviv

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Lviv (Polish: Lwów, German: Lemberg), founded in the mid-thirteenth century, soon became the main town in Galician Rus’ (Galicia, Ruthenia or, from the fifteenth century, Red Rus’). The whole region of Ruthenia, being influenced by migrations, frequent wars, long-distance trade and political expansion, was predestined to heterogeneity, so it is not by chance that the multi-religious (or multi-ethnic) character of the urban population is seen as a distinctive feature of Ruthenian towns. From the second half of the thirteenth century, the region was crossed by a trade route connecting the Black and Baltic Seas. The most important route originally ran through Wolodymyr in Wolhynia, but starting from the mid-fourteenth century it passed through Lviv. The trading centres were those places where the first foreign communities, formed predominantly by merchants, emerged.

The migration of foreigners into Ruthenian towns intensified during the ‘Polish period’; when Galician Rus’ was incorporated into the Polish Kingdom. Then, a profound urban reform under Magdeburg law was conducted by the kings of Poland. New settlers invited by the kings contributed to the further diversification of the urban population. Soon, the foreign element dominated the most important commercial centres of Galician Rus’, so that a town was compared to an alien island.

1 Lviv was founded as a stronghold against the Tartars and developed as an urban centre of the Galician-Wolhynian principality during the second half of the thirteenth to the first half of the fourteenth century. The mid-fourteenth century is seen as a historical landmark: it represents the end of the Galician-Wolhynian principality and the gradual incorporation of Galicia into the Polish kingdom. Historians often speak about the ‘Ruthenian period’ (before 1350) and the ‘Polish period’ (after 1350, when Lviv land was incorporated in Poland).

in the sea of the native Ruthenian countryside. In the towns, the natives were often outnumbered by immigrants – Germans, Poles, Armenians, Jews, and sometimes Greeks, Wallachians, Karaites and Tartars. However, Poland annexed a territory dominated by Christianity of the Eastern rite or Orthodoxy; and so it was the first time the so-called German law, connected to Latin Christianity, was spreading on non-Catholic territory. Different groups of people, in terms of culture and religion, were to live within limited spaces of medieval towns in Galicia according to a system (*ius teutonicum*) developed within Latin civilization and connected to Catholic or Roman Christianity. It is not surprising that the *ius teutonicum*, being applied to such linguistically, ethnically and religiously heterogeneous formations as the urban centres in Ruthenia, gradually became a privilege for a certain part of citizens – those ‘of the Roman faith’ (*Romane obediencie civibus*), ‘Romans’ (*Romani*), – while the status of other groups, first of all the indigenous population, fell to that of minorities.

Late medieval Lviv showed great heterogeneity in its urban population. The importance of this trading centre became especially prominent when citizens of Lviv gained the full staple right for ‘Tartar goods’ (*mercibus de Thartaria*) in 1380. This contributed greatly to the prosperity of the town and increased the number of those desirous of Lviv citizenship. Through the centuries, the market of Lviv attracted picturesque crowds of merchants, so vividly described by Martin Grüneweg, who lived there between 1582 and 1602. He compared the town to a great port like Venice, where one can find visitors from all over the world: Hungarians, Cossaks, Moscovites, Turks, Germans, Italians, French, Spaniards – one could find every language one wanted there.

Out of all this diversity of visitors and settlers, four religious groups constituted themselves in Lviv: Catholics or ‘Romans’ (mostly Germans and Poles); Orthodox or *ritus Grecus/Rutenus, Rutheni* (mostly indigenous Ruthenians, but also Greeks)...

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5 In this case, the word ‘minority’ is used to emphasize not a small number, but the inferior status of the non-Catholic communities.
6 *Privilegia civitatis Leopoliensis (XIV–XVIII saec.)*, ed. M. Kapral (Lviv: Dokumentalna skarbnytsia Lvova, 1998), 59, document no. 8, p. 44.
7 Library of Polish Academy of Science, Gdańsk. Ms. no. 1300: ‘In dieser Statt ist kein wunder wie tzue Venedig, auf ihrem Markte, alle tage auch aus aller welt ötrter folk beyderr perschoen, in ihres landes kleidunge tzusehen: die Ungaren in ihren kleinen magerchen, die Kozaken in ihren grossen kutzmen. Die Mosskwitter in ihren weyssen ssepken, die Turken in ihren weyssen tzolmen. Diese in ihrer langen kleidunge, wieder die Deutzen, Welschen, Frantzöser, Hisspanier in ihrer kuertzen. Es say einer was tzunge err wolle, er findet hie seine sprache.’
and Wallachians); Armenians and Jews. Most likely, the diversity of the urban population emerged already during the Ruthenian times. The Magdeburg law privilege, granted to Lviv by the Polish king, Kazimir III (the Great) in 1356, mentioned Armenians, Saracens, Jews and Ruthenians, apart from ‘citizens’ (that is, the ‘Romans’ who constituted the genuine communitas). This implies that already then the town population was far from being homogeneous. Moreover, this document brings the first evidence of legal segregation within the community: Magdeburg law was granted to all inhabitants of the town, but non-Catholics, or, as the document listed them, ‘other people living in that town, namely Armenians, Jews, Saracens and Ruthenians (alii gentes habitantes in eadem civitate, videlicet Ormeni, Iudei, Saraceni, Rutheni) were allowed to use their own laws. Nevertheless, the ius Maydeburgense had a superior position in relation to the iura of the ‘nations’, while the genuine (that is, the ‘Roman’) communitas had a higher standing than communities of other faiths. Privileges, liberties and freedoms granted to the town of Lviv by kings were addressed first of all to the ‘Roman’ community. Oriented, like every urban society, towards the elimination of economic rivals and the securing of exclusive rights for its economic activity, historians dealing with the urban history of Galician Rus’ developed the notion of ‘ethnic streets’, understood as urban space inhabited by representatives of groups that do not have a dominant position in the town. The ‘ethnic streets’ of Lviv (a Jewish one – platea Iudeorum – is first mentioned in 1382; a platea Tartarorum in 1382, 1405; an Armenian one in 1441; and a Ruthenian one in 1470) are to be found in the ‘new’ town centre, that is, the town under Magdeburg law. The lack of a Polish or German street cannot be due to simple demographic prevalence of these western nations. It was a result of other kind of dominance – ascendancy, authority, prestige or social status. These streets pointed to religious and legal segregation within the urban population. Establishing an ‘ethnic street’ or district would have reflected the attitude of settled citizens towards tolerated aliens, of hosts towards newcomers, of a proper communitas (of ‘Romans’) towards other religious and legal entities. Janeczek, ‘Ulice etniczne’, pp. 131–47. Who the ‘Saracens’ mentioned in the privilege were is not known exactly. Most likely this was one way by which Tartars or other non-Christians were defined. See Yaroslav Dashkevych, ‘Rus’ i Syria: vzayemozviazky XIII–XIV st.’ [Rus’ and Syria: interactions of the thirteenth and fourteenth century], in Zapysky Naukovoho Tovarystwa imeni T. Shevchenka, vol. CCXXVIII (Lviv: NTSh, 1994), p. 10. Privilegia civitatis Leopoliensis (XIV–XVIII saec.), p. 39, document no.1: ‘Et licet toti civitati predicte et omnibus habitantibus et communicantibus in ea tribuimus ius Maydeburgense supradictum tamen ex speciali nostro favore aliis gentibus habitantibus in eadem civitate, videlicet Ormenis, Iudeis, Saracenis, Ruthenis et aliis gentibus cuiuscumque condicionis vel status existent, tribuentes gracion specialia, volumus eos iuxta ritus eorum in ipsorum iure illibatos conservare, dantes tamen facultatem eis, ut pro quibuscumque causis vel criminales inter ipsos aut inter eos vel alias quibuscumque super causis vel articulis emergentibus, habuerint questionem, licitum sit eis predicto iure Maydeburgense uti coram advocato et perfriui iuxta eorum peticionem petitam et oblatam.’
this community struggled to be the only recipient of royal endowments. The right
to take part in urban administration or legal proceedings was also limited to the
‘Romans’. Lviv citizens from non-Latin confessions – Orthodox or Armenians,
who were usually called schismati – or Jews could use the freedoms of the town
as much as it was allowed by their own privileges: in quantum se extenderunt
privilegia eorum. For all of them this town also became a religious centre.
The multi-ethnic character of the urban community was emphasized already in
early historiography. For instance, J. B. Zimorowicz, the author of the chronicle
‘Leopolis Triplex’ (1672), divided the history of Lviv into three periods according
to the three ‘nations’ that had ruled the town. The first was ‘Ruthenian Lviv’,
founded in the thirteenth century and in existence until the decline of the dynasty
of the Ruthenian dukes in the mid-fourteenth century. It was followed by the
‘Leopolis Germanica’ that came into being after Galicia was annexed by Poland,
and finally the ‘Polish Lwów’, that was the result of the assimilation of the
Germans and the domination of the Polish ‘nation’ in the town during the sixteenth
century. This view was accepted by later authors and has survived until the present
day. The aim of this essay is to provide a general overview of the history of the
coeexistence of the different religious groups in Lviv, with a particular focus on the
policy of the town council regarding local ‘minorities’ during the late medieval
and early modern times.

The Armenians

The Armenians of Lviv, whom the privilege of 1356 listed first among ‘aliis
gentibus habitantibus in eadem civitate’, were probably immigrants from Crimea.

Generally, ‘the Armenians were exclusively town dwellers and composed a small

11 Myron Kapral, Natsionalni hromady Lvova XVI–XVIII st. (socialno-pravovi
aspekti) [National (ethnic) communities in Lviv: social and legal relations during the
sixteenth to eighteenth century] (Lviv: Lviv National University, 2003), p. 47.

12 Lucia Charewiczowa, ‘Ograniczenia gospodarcze nacji schizmatycznych i Żydów
we Lwowie XV i XVI wieku’ [Economic restrictions of schismatic and Jewish nations
in Lviv in the fifteenth and sixteenth century], in Kwartalnik Historyczny, R. XXXIX, 2

13 An Armenian bishopric was established in Lviv already in 1369; the Catholic
archbishopric for Galician Rus’ was transferred from Halych in 1412–14; an Orthodox
bishopric was established in 1539.

14 Jozef-Bartolomej Zimorowicz, Leopolis Triplex: Historia miasta Lwowia, królewstw
Galicyi i Lodomerii stolicy (od najdawniejszych czasów aż do roku 1672 [History of the
town of Lviv, the capital of Galicia and Lodomeria from the earliest time till the year 1672]
(Lwów: Schneider, 1835).

15 Mykhailo Hrushevsky, Istoria Ukrainy-Rusy [History of Ukraine-Rus’], vol. VI
minority in Ukrainian lands’. Their importance was determined by the role they played in the economy: a great part of the profitable trade with the East was in their hands, and the Armenians were known first and foremost as providers of ‘Tartar goods’. They also became important in local commerce dealing in crafts and luxury goods, particularly furs and textiles. A group of wealthy Armenians maintained connections with Polish magnates and the royal court, providing them with money and Eastern luxury goods. Knowledge of Eastern, particularly Turkic languages (many Armenians spoke colloquial Kipchak) brought some of them into diplomatic service. While enjoying benefits from a distant king and his noblemen, the Armenians nevertheless suffered from various restrictions and discrimination at the hands of the local urban elite.

As studies in Armenian law have determined, Armenians settled in Lviv during the rule of the Ruthenian dukes and already at that time had legal autonomy, including the institution of advocatus. However, the first written evidence of Armenians in Lviv came only from the Magdeburg law privilege of 1356. They had a quite developed community with their own jurisdiction, which is evident from another document issued by the Hungarian queen, Elisabeth, in 1379, permitting the Armenians of Lviv to remain ‘in their customs and rites, that is, [with] advocate, bishops, priests, churches’. Although the office of an independent Armenian advocatus was confirmed by a royal privilege, there was no document clearly defining the legal status and competence of this official and his relation to the town court. Such ambiguity resulted in long-lasting disputes between the town council and the Armenian community. In their struggle for legal independence in the mid-fifteenth century, the Armenians were supported by the influential Polish magnate and royal official in Lviv (palatinus), A. Odrowąż, who was interested in weakening the urban government.


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19 Advocatus (in German: Vogt), advocatia— the term defines a wide range of institutions. The core of the meaning is that the person in duty possesses the power to administer (and to organize the administration), to collect taxes, to preside over the court, to undertake legal representation in court cases, and so forth. See Lexikon des Mittelalters, vol. 8. (Munich: Artemis, 1997), p. 1811.


(1447–92) confirmed the institution of the Armenian *advocatus* and freed him and the Armenians from all jurisdiction and power of royal officials and judges, as well as of the officials and councillors of Lviv. In this way, the Armenian community received full legal autonomy. Nevertheless, after the death of A. Odrowąż the council reviewed the matter and soon received a royal decree (1469) which annulled the separate Armenian jurisdiction. According to the decree of 1469, Armenians were to be judged by the town *advocatus* (Vogt), although in the presence of Armenian seniors. The rich and influential community continued to defend its independence, so that disputes with the urban government concerning legal matters did not cease.

The fact that the town council cut off the water supply to the houses of Armenian merchants in Lviv in 1510 proves the lasting hostility in their relationships.

Growing unrest and mutual hatred resulted in a horrible misapplication of justice that took place in autumn 1518. The town court sentenced to death an Armenian merchant named Ivashko (*Iwaszko Armenus*) for an affair with his female servant Sophia of Latin faith (*Sophia Christiana*). Both were arrested and burnt, on the charge of ‘sacrilegium’. The Armenians of Lviv complained to the king, who found the town council guilty and demanded it pay compensation to all members of the Armenian community. The case had a further consequence. In an attempt to eliminate conflict, the king ordered a translation of the Armenian law into Ruthenian or Latin and in 1519 confirmed this law, which became known as the ‘Armenian statute of 1519’. The statute consisted of 124 articles and regulated religious, criminal, financial and civil issues within the community. Nevertheless, it did not save them from conflicts in legal matters in later times.

Other subjects of conflicts between the urban government and the Armenians were commercial rights and freedoms. In general, the commercial success and financial power of the Armenians in the Polish kingdom made a negative impression on contemporaries, who already at the beginning of the sixteenth century.

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22 *Privilegia nationum civitatis Leopoliensis*, document no. 46, p. 140.
23 *Privilegia nationum civitatis Leopoliensis*, document no. 48, p. 146.
25 Denys Zubrytskyi, *Khronika mista Lvova* [A Chronicle of the town of Lviv], transl. from Polish by I. Svarnyk, (Lviv: Tsentr Europy, 2002, re-print of the 1844 edition), pp. 127–8. Distinction between Latin and Armenian faith is emphasized in the document by referring to the one accused party as ‘Christian’ and to the other as ‘Armenian’ (the latter being understood as ‘non-Christian’).
27 *Privilegia nationum civitatis Leopoliensis*. Introduction, pp. 19–20, document no. 67, pp. 189–219; Oswald Balzer, ‘Statut ormiański w zatwierdzeniu Źygmunt I z r. 1519’ [Armenian Statute in the confirmation of Sigismund I from 1519], (Lviv, 1910).
century remarked that ‘partim Poloniam occupant Armeni’, although the actual number of Armenians living on that territory was relatively small.28 Under all sorts of pretexts, the commercial activities of Armenian merchants were hindered, and their goods were often seized. The amount of wax and number of oxen to be freely bought by the Armenians was restricted as well as retail sale of textiles and production of beverages.29 Armenians complained to the king in 1578 about limitations imposed on them by the town. The explanation for their exclusive policy which the Lviv councillors presented at the royal court was quite symptomatic: they declared that because of differences in religion and language, Armenians could not be equal [to them] and therefore they were admitted only to the staple right, but not other tax freedoms30 which the Catholic inhabitants enjoyed.31 Nevertheless, the royal verdict was again favourable to the Armenians – King Stephan Báthory defined their rights as equal to those of the ‘catolici Romane obedientie mercatores.’ According to this verdict, the Armenian citizens of Lviv obtained the same rights in commerce and craftsmanship as the ‘Romans’.32 The council, being unhappy with such an inconvenient decision, initiated a new court case in 1600, arguing that these liberties and freedoms given to the Armenians were leading to the impoverishment of the citizens. This time the urban government succeeded: although King Sigismund III (1587–1632) did not withdraw the privilege of 1578, he introduced several specifications that on the whole terminated many advantageous issues of the original document.33 For instance, Armenians were left the right of free trade, but the number of their textile shops was limited to two; similarly, the quota of Armenian craftsmen to be accepted to the guilds was very small. The councillors went even further, and protesting that Armenians ‘contrary to the law and decrees, as well as ancient customs of the town, occupied many buildings of Catholics in Lwiv’, received a royal decree limiting the number of buildings to be in the possession of the Armenians to 73.34 Such limitations were part of a consistent policy of the urban government in its interactions with the ‘minority’ groups of Lviv. As will be seen below, an identical policy was exercised in relation to the other group of schismatics – the Orthodox Ruthenians. Both groups – Armenian and Ruthenian citizens – while carrying a

28 Charewiczowa, Handel średniowiecznego Lwowa, p. 118.
29 Ibid.
30 Ibid.
31 Ibid.: ‘Armenos propter disparitatem linguae et religionis pares ipsis non esse, et tantummodo ad libertates depositorii et non soluendorum theloneorum admissos.’
32 Ibid.
33 Privilegia nationum civitatis Leopoliensis..., document no. 88, p. 304.
34 Privilegia nationum civitatis Leopoliensis..., document no. 89, p. 308: ‘contra iura et decreta nec non antiquas consuetudines civitatis plerasque domos Catholicorum in eadem civitate Leopoliensi occupaverunt.’
similar burden of urban taxation and obligations, were at the same time ‘citizens of the secondary kind, without political and [with only] limited civic rights’.\textsuperscript{35} The Ruthenians

The privilege of 1356 implies that the indigenous Ruthenians of Lviv had fallen to a minority within the town: they were listed among ‘the other people living in that town’ \textit{(alii gentes habitantes in eadem civitate)} apart from Latin Christians. In the town, Ruthenians occupied a small area between the Armenian and the Jewish quarters. Yet while in 1405–1408 there were only 13 Ruthenian families in the district, their number had increased to 30 by the year 1500. The early sixteenth century was seen as the time when the Ruthenian community woke up to take an active part in economic and social life, and attempted to defend their rights which the town council been gradually decreasing.\textsuperscript{36} As non-Catholics they were denied access to offices in urban government, their economic activity (both in trade and crafts) was limited, a Ruthenian’s oath was not accepted in the court of the Magdeburg law, and the Orthodox \textit{(ritus Ruthenici)} confession was regarded as inferior in relation to the ‘Romans’.\textsuperscript{37}

The Ruthenians of Lviv sent a complaint to the king in 1521, listing the limitations imposed on them: first, every time anyone following the Ruthenian (Orthodox) rite had to take an oath, he was sent to the church to do so; second, the Lviv town court (of Magdeburg law) did not accept the oath of people of Ruthenian rite; third, Orthodox priests were not allowed to carry the holy sacrament through the streets with lighted candles; fourth, the town councillors, being bribed, appointed unskilled candidates as Ruthenian priests, denying better candidates; fifth, the councilors of Lviv prohibited the dead of Ruthenian rite to be carried publicly to the church for burial.\textsuperscript{38} The limitations listed here were not

\textsuperscript{35} Jan Ptasnik, \textit{Walka o demokratyzację Lwowa od XVI do XVIII w} [The struggle for the democratization of Lviv from the sixteenth till the eighteenth century] (Lvów, 1925)

\textsuperscript{36} quoted after: \textit{Armenia and Ukraine} by Yaroslav Dashkevych (Lviv and New York: NAU, 2001), p. 362.


\textsuperscript{38} \textit{Privilegia nationum civitatis Leopoliensis}, document no. 1, p. 39: ‘Primo, quod quoccusque aliquis istius ritus Ruthenici pro quacunque re iuramentum prestare debet, tociens talis ad sinagogam ad prestandum iuramentum remittitur. Secundo, quod coram iure et iudicio civili Leopoliensi testimonium talium hominum ritualis Ruthenici … non admittitur. Tertio, quod presbyteris ritus predicti sacramenta ecclesiastica publice per plateas et forum civitatis candellis incensis ad egrotos ferre non licet. Quarto, quod consules ad ecclesias [Ruthenas] iuris patronatus sui presbiteros parum idoneos, recepto non parvo aliquo dono presentare solent. Quinto, quod mortuos ritus ipsorum prohibent publice et in ornatu ecclesiasticum ad sinagogas sepeliendi causa deferre et conducere.’
of a commercial character. The verdict of the royal court was positive, and the community received a partial redress in the above-mentioned matters: for instance, the oath of the Ruthenians was ordered to be accepted *tam in civitate, quam extra eam*; Orthodox priests were allowed to carry the sacraments with lighted candles, but only in the Ruthenian district; the council retained the right of patronage over Orthodox churches, but the councillors were obliged to assign candidates for priestly offices whom the Ruthenian community recommended. Nevertheless, the royal chancellery listing the issues of the complaint emphasized confessional differences by calling an Orthodox church a ‘sinagoga’ and not an *ecclesia*, as would be more appropriate for a Christian place of worship.

A few years later (1524) the Ruthenians complained again, this time over restrictions of an economic character imposed on them by the council. Nevertheless, the king confirmed every issue of the restrictive policy of the Lviv councillors. A royal decree of 1525 issued for the disputing parties gives a clear idea of what the subjects of the conflict were: ‘citizens of Ruthenian rite should be content with the streets and boundaries of the district designated for them from ancient times and cannot buy houses in places where they did not live before; we [the king] also keep them under ancient prohibition from entering guilds and crafts; we also prohibit them the production and sale of beverages and retail sale of textiles’.

Retail sale of textiles was one of the most important fields of income, similar to the trade and production of beverages – these issues were constantly on the agenda of disputes between the town council on the one hand and Armenian, Ruthenian and Jewish communities on the other. Just like other non-Catholics, members of the Ruthenian community were to be kept within the designated limits of their district and were prohibited from buying property outside the Ruthenian street. Apparently there were attempts to trespass the limits, since already in 1529 Catholic merchants were complaining that Ruthenians ‘occupied shops and places of people of Roman faith’. Consequently, the council introduced controls over commercial properties in an attempt to limit the number of shops in the hands of non-Catholic merchants. For instance, an entry from 1535 in the town books confirming the purchase of a shop by a Ruthenian included also an obligation if they should wish to sell the shop, they should sell it only to people of ‘Roman faith’ (*solum homini religionis et fidei Romane*). Regardless of prohibitions, Ruthenians and other non-Catholic communities tried to buy properties all over the town, consequently the council renewed the restrictions in 1544. It was emphasized once more that the community be more appropriate for a Christian place of worship.
more that Ruthenians or citizens of other rites should be content with the districts
where they had lived before.\textsuperscript{43}

After the Lublin union (1569), the officials and nobility of Lithuania, Wolhynia and Podlachia (the territories united with Poland), both Catholic and Orthodox, were given the same status as the Polish ones. The Ruthenians of Lviv once more sent a petition to the king asking for their rights to be made equal to those of the ‘Romans’, and they succeeded: in 1572, King Sigismund August (1548–72) issued a decree according to which the Ruthenians of Lviv received all the rights and privileges which other Polish citizens of Roman faith enjoyed (\textit{alii cives Poloni Romanae ecclesiae gaudent}).\textsuperscript{44} This meant access to urban government, trade freedoms, unrestricted membership of guilds, admission to high schools (\textit{hymnasiaque et scholas […] pro ediscendis artibus liberalibus}), and so forth. In addition to this, the prohibition on buying buildings outside the Ruthenian district was annulled. Nevertheless, in practice the \textit{libertas mercandi} granted by the king to the Ruthenians had no effect, since the council did not recognize the freedoms granted. Soon another royal decree, issued by King Stephan Báthory in 1578, in practice cancelled most of the freedoms received from his predecessor.\textsuperscript{45} Ruthenians were allowed to trade freely \textit{libratim et ulnatim}, but only during the time of fairs; and production of beverages was also limited. Especially disadvantageous for the Ruthenians was the prohibition of free retail trade, which being thus limited to fairs only, gave them a status similar to alien merchants (\textit{hospites}).

At the same time, in other cases when the financial interests of the councillors were not endangered, the policy of the urban government had less restrictive character. For instance, the councillors took care of Ruthenian orphans,\textsuperscript{46} or donated a plot of land for a suburban Orthodox church (again called a \textit{sinagoga}).\textsuperscript{47}

Unlike Armenians or Jews, the Ruthenian community did not possess its own autonomous law. A certain degree of autonomy for Ruthenians existed only in the sphere of religion; therefore it is not surprising that it was a religious confraternity which became the head and official representative of the community. This confraternity emerged at the Orthodox church of the Assumption of Virgin Mary.

\begin{footnotes}
\item[43] Krypiakevych, \textit{Lvivska Rus’ v pershiy polovyni XVI st.}, document no. 776, p. 295: ‘Rutheni seu aliorum rituum cives in plateis suis, in quibus antiquo locate sunt, debent esse contenti.’ The transfer of property in the town took place after the great fire in 1527, which destroyed almost the whole Lviv. The restrictions aimed at preventing this. However, as pointed out by L. Charewiczowa, by the end of the sixteenth century most of the commercial property was in the hands of non-Catholics: out of 24 shops, 19 were owned by Armenians, three by Ruthenians, and only two by Catholics. See Charewiczowa, \textit{Handel średniowiecznego Lwowa}, p. 115.
\item[44] Privilegia nationum civitatis Leopoliensis …, document no. 3, p. 45.
\item[45] Privilegia nationum civitatis Leopoliensis …, document no. 6, pp. 54–5.
\item[47] Krypiakevych, \textit{Lvivska Rus’ v pershiy polovyni XVI st.}, document no. 192, p. 145.
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1 in the late sixteenth century and organized the whole Ruthenian community, taking
care not only of religious and cultural, but also economic and political matters.
3 The seniors of the confraternity were recognized both by the Orthodox patriarchs
and the Polish royal government and often became initiators and coordinators of
lawsuits undertaken in the defence of Ruthenians in Lviv.\textsuperscript{48}
6 It is notable that at the end of the sixteenth and the beginning of the seventeenth
century, the policy directed against the \textit{schismatics} of Lviv became conditioned
not only by economic or legal, but also by religious factors. However, in this case
the town council was acting under external influence, the influence of the Latin
Church in its counter-reformation phase, and economic restrictions imposed on
Ruthenians in the late sixteenth century were also intended to incline them to
church union.\textsuperscript{49} The Armenians came across similar problems regarding religious
union; indeed, after 1630 in order to retain their position in the trade with the
East and to gain equality with the Poles, the Armenian elite together with the
Armenian archbishop of Lviv, N. Torosyan (Torosowicz), broke with the Armenian
ecclesiastical hierarchy in Etchmiadzin and united with the Latin Church.\textsuperscript{50}
19 The Jews
20 In contrast to the Armenians and Ruthenians, the Jewish population of Lviv was
the only one that by the end of the sixteenth century constituted an independent
community, both in legal, economic and religious sense.\textsuperscript{51} Early Jewish
communities, forming a separate ethnic, religious, cultural and legal group, lived
in commercial centres and were composed of rich people – a financial elite whose
social prestige was, however, so low that they were outside the official social
scale. Cultural and religious difference and the hostility of the Church made them
dependant on the ruler, who secured them special protection (the king as a protector
of Jews, \textit{Judenschutzer}). The Lviv Jews,\textsuperscript{52} who were not mentioned until the
charter of 1356, were subjected to the same rights as Jews in the rest of the Polish

\textsuperscript{48} Hrushevsky, \textit{Istoria Ukrainy-Rusy}, vol. V, p. 246. Yaroslav Isayevych, \textit{Bratstva ta
yih rol v rozvytku ukrainskoyi kultury XVI–XVIII st.} [Confraternities and their role in the
development of Ukrainian culture in the sixteenth to eighteenth century] (Kyiv: Naukova
\textsuperscript{49} Charewiczowa, \textit{Handel średniowiecznego Lwowa}, p. 120.
\textsuperscript{50} Dashkevytch, ‘Armenians in the Ukraine’, p. 365.
\textsuperscript{51} Heidemarie Petersen, \textit{Judengemeinde und Stadtgemeinde in Polen: Lemberg 1356–
\textsuperscript{52} For more details concerning the history of Jews in Lviv see: Bałaban Majer, \textit{Żydzi
lwowscy na przełomie XVI–XVII wieku} [Jews of Lviv in the turn of the sixteenth century].
(Lwów: Kadimah, 1906). \textit{Jewish Privileges in the Polish Commonwealth: Charters of
Rights Granted to Jewish Communities in Poland–Lithuania in the Sixteenth to Eighteenth
Centuries}, ed. Jacob Goldberg (Jerusalem: Zalman Shazar Center, 1985). The recent and the
territory. The document that defined the legal status of Polish Jews and regulated their relationships with Christians was a statute of Boleslaw the Pious from 1264. Kazimir III issued a confirmation of this document in 1334, guaranteeing Jews free migration within the kingdom, freedom of commercial and banking activity, personal security and religious freedom, at the same time as it excluded them from the jurisdiction of town governments and subjected them to the castellan and royal courts of law. Another privilege of Kazimir III was issued in 1364 and allowed Jews to receive property in pledge, so that they became owners of real estate in towns, being at the same time exempted (like the nobility) from urban jurisdiction and from paying urban taxes. The Jewish community and its commercial role grew at the end of the fifteenth century, a result of at least two factors. First, persecutions that took place in towns of Western and Central Europe caused a mass migration of Jews to Eastern Europe. The other factor was the economic policy of the Polish rulers, all Jagellonians, who, being oriented on restoring the devastated and depopulated territories, settled Jewish immigrants in Red Rus’. Therefore, this region experienced a ‘real explosion of the Jewish settling process’; the local communities became the most numerous and the richest, and by the sixteenth century Jews comprised 10 per cent of the urban population in these parts. The social structure of Jewish communities also changed at that time. Apart from rich Jewish money lenders oriented towards long-distance trade and the elite of the society, the majority of communities consisted of members involved in local trade and crafts – a new type of town dwellers connected to the home market and representing a competitive force for the citizens. The early modern period brought further changes: Jews were not any more living predominantly in royal towns, but gradually moved to private towns and villages belonging to the nobility. There were two Jewish communities in Lviv – one ‘suburban’ (Iudei in anteurbio Leopoliensi) and the other ‘intramural’ (Iudei inter muros civitatis) – each with a different status. Differentiation is evident from a privilege of 1519 issued by King Sigismund I (1501–48) for the suburban Jews of Lviv. The privilege announced that the Jews living in the suburb of Lviv were to enjoy the same freedoms of trade most profound study on Lviv Jews is the already quoted work by Petersen, Judengemeinde und Stadtgemeinde.

55 Bogucka and Samsonowicz, Dzieje miast i mieszczanstwa …, p. 158.
56 Petersen, Judengemeinde und Stadtgemeinde, p. 128.
as those living within the town walls.\textsuperscript{57} Probably the status of suburban Jews was lower, since they were interested in winning equal rights. Nevertheless, they did not enjoy the obtained equal rights for long: the ‘intramural’ Jewish community opposed the competition coming from the suburb, and the king annulled his privilege in the same year.\textsuperscript{58}

The commercial activity of the Jews and the growing competition with Christian merchants motivated the town council to defend their privileged position and to limit Jewish commerce. The earliest conflict between the town and the Jews took place in the 1480s about textile trade – a profitable sphere of commerce. The resolution of this case favoured the town and gave Lviv councillors similar rights ‘as the other main towns in the kingdom, where Jews are not at all allowed the retail selling of textiles’.\textsuperscript{59}

Nevertheless, Lviv citizens constantly complained of losses they suffered because of Jewish trade. By a royal verdict issued in 1521 after a new dispute between the town council and the local Jewry, Jewish trade was limited to oxen, textiles, wax and leather, and it could take place only during the fairs and only wholesale. Thereby, Jews were made equal in their rights to alien merchants. By issuing his verdict, the king declared his support for Christian citizens who had to take care of the urban defences situated on ‘the edge of the kingdom’.\textsuperscript{60} However, restrictive royal decrees were not observed in practice, as is evident from a register of goods brought by Jewish merchants to Lviv in 1577–82.\textsuperscript{61}

A new type of relationship between the council and the Jewish community can be observed at this time: failing to control the community, the council for the first time recognized the Jews as an immediate partner in negotiations. In the year 1581, representatives of both communities concluded the first contract defining their spheres of economic activity and influences, and such contracts (pacts)...

\textsuperscript{57} Privilegia nationum civitatis Leopoliensis ..., document no. 124, p. 408: ‘iudei in anteurbio Leopoliensi commorantes ... omnibus et singulis libertatibus, iuribus et prerogativis ac libertate et consuetudine mercandi gaudent, quibus iudei inter muros civitatis Leopoliensis gaudent et gaudere consueverunt.’

\textsuperscript{58} Privilegia nationum civitatis Leopoliensis ..., document no. 125, p. 409. This accident was part of a general disagreement between the town and suburbs, when the suburban merchants and craftsmen undermined the commercial position of the town.

\textsuperscript{59} Privilegia nationum civitatis Leopoliensis ..., no. 110, p. 390: ‘que sunt et fruuntur alie civitates in regno capitales, que ludeis incolis earum minime permittunt talem panni ad ulnas negociacionem et cesuram’.

\textsuperscript{60} Privilegia nationum civitatis Leopoliensis ..., document no. 2, p. 43: ‘habentes benignam et maiorem rationem, sicuti decens est communium civium et mercatorum civitatis Leopoliensis in finibus regni nostri situate, pro cuius reparatione, munitione et conservatione ipsi multa onera sustineant, eorumque commoditatis prospicere volentes ...’. Being excluded from citizenship, Jews were not subjected to the obligations of the citizens of Lviv, one of which was to maintain the urban fortifications – an expensive and labour-consuming duty.

became a usual practice at later times (the next pact was concluded in 1592). The
town did not appeal anymore to the king as a mediator, but initiated direct contacts
with the Jewish community. As was shown by H. Petersen, the decline of royal
power affected also the position of the king as a protector of Jews, because the
nobility, gradually taking over royal functions, also spread its influence over Jews.
The policy of the king had focused mainly on Jews in royal towns, where their
communities were given a separate corporative status (korporationsrechtliche
Stellung). This status secured the Jews their own administration and political
representation, legal practice, economy and finance, so that they thus became to
a certain extent equivalent to the urban community itself. The development of
Jewish autonomy in the town during the sixteenth century could be seen as a kind
of compensation for the diminution of the king’s power.53

Concluding Remarks

If one views the segregation policy of the council in the broader context of economic changes and compares the case of Lviv with other towns in Europe, it becomes apparent that this policy and its monopolistic character was a widespread phenomenon. The use of town policy to advance the interest of big merchants at the expense of other inhabitants was a natural outcome of conditions of intense competition. In Europe, it was in the fourteenth and fifteenth centuries that the pattern of exclusions and privileges was fully developed and became a normal framework for all business within and between towns.64 In the case of Lviv, the policy of exclusion manifested itself in the staple right – a distinctive privilege received already in the late fourteenth century and directed against outsiders. However, it was the sixteenth century that witnessed the rise of internal (‘inter-ethnic’ as well as ‘inter-Catholic’) conflicts in Lviv and the formulation of the town council’s policy towards the ‘minority’ groups viewed generally as outsiders.

In a broader context, the end of the fifteenth and especially the sixteenth century was the time of negative changes in the economic, legal and political status of Polish towns. The decline of royal power and the increase of that of the nobility meant the marginalization of the whole strata of citizens of the royal towns in Poland. Anti-urban legislation started with the prohibition on citizens to buy landed property (1496) and to hold high offices in the Church (1496), while the commercial activity of the nobles (for instance, in the export of grain) was freed from taxation (1496).65 The commercial rights of citizens

62 Charewiczowa, Handel średniowiecznego Lwowa, p. 117.
63 Petersen, Judengemeinde und Stadtgemeinde, pp. 121–3.
65 Bogucka and Samsonowicz, Dzieje miast i miejscowości, p. 321.
were seriously undermined by the edicts of 1507 and 1538 concerning foreign
merchants, who were given access to the Polish market as wholesale and retail
dealers. The nobility favoured alien merchants and imported goods, at the same
time as giving no protection (in fact, often discriminating against) local urban
commerce and crafts.\textsuperscript{66}

External negative tendencies directed the attention of the council also to
internal competitors.\textsuperscript{67} These appeared in the first instance to be people of different
languages and religions: Armenians, Jews and Ruthenians, whose legal status
was defined too vaguely in the Magdeburg law privilege of 1356. The council
exploited this jurisdictional inconsistency and initiated the process of establishing
its own legal hierarchy aiming at the limitation of the ‘minorities’ in their legal and
economic rights. In general, the policy of the town council was directed towards
the reduction of all forms of self-government of the ‘minority’ communities and
their incorporation under the urban authority. Religion was the most important
criterion for stratification of the urban population in \textit{Lviv}: those who did not
belong to Latin Christianity were treated as inferior and were denied admission
to the same rights and privileges as the community ‘of people of Roman faith’ or
the Catholics enjoyed. Indeed, the border line was drawn not between Christians
and Jews, but between Catholics and non-Catholics.\textsuperscript{68} Moreover, the counter-
reformation concerns of the Latin Church in Poland and the striving for religious
union sharpened the ‘Catholic – non-Catholic’ dichotomy and contributed to the
assimilatory pressure on the ‘schismatics’.

The urban government exercised a relatively equal policy regarding different
religious groups, so that the issues were similar regarding all ‘minority’ communities:
prohibition of retail trade and limitation of the number of shops; limitation or total
prohibition of production and sale of alcoholic beverages; limited access to craft
guilds; and prohibition to buy property outside the ‘ethnic streets’ or quarters.
The king functioned as a mediator in conflicts between the town and religious
communities; he served as balance between the competitors, supporting the one
or the other side by grants of privilege. However, as the royal power drastically
diminished in Poland, so did the power of royal decrees; therefore a decision of the
king did not necessarily provide a solution to a conflict. M. Balaban commented
on this situation very aptly: ‘Nobody cared for royal decrees in Poland, unless
one’s opponent was strong enough to enforce the decrees.’\textsuperscript{69}

\textsuperscript{66} Ibid., p. 322.
\textsuperscript{67} Petersen, \textit{Judengemeinde und Stadtgemeinde}, pp. 121–2.
\textsuperscript{68} Petersen, \textit{Judengemeinde und Stadtgemeinde}, pp. 121–2.
\textsuperscript{69} Balaban, \textit{Żydzi lwowscy na przełomie XVI–XVII wieku}, p. 473.
Out of the three religious or ‘minority’ groups of Lviv by the end of the sixteenth and beginning of the seventeenth century only the Jews were able to form and develop an independent community in religious, cultural, legal and economic terms. The early modern times happened to be the period of communal consolidation for Lviv Jews, while for the Armenians and Ruthenians it brought gradual assimilation, especially in the religious sphere. As H. Petersen has observed, the idea of coexistence (albeit in a hierarchical order) of different religious groups that formed the urban population, as expressed in the privilege of 1356, was replaced with attempts to form a rather uniform Polish-Catholic community in the town of Lviv.

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70 Petersen, *Judengemeinde und Stadtgemeinde*, p. 56.