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THE COUNCIL OF LITHUANIAN JEWS (1623–1764)

LITHUANIA'S CENTRAL JEWISH REPRESENTATION

The establishment of the Jewish council in the Polish-Lithuanian Commonwealth is still poorly studied and gives rise to numerous controversies. In historiography there are two separate theories about that institution's origins. The first one, most frequently espoused by historians, connects the formation of the Jewish council with the levying of a 'lump-sum' Jewish poll tax. The Jewish poll tax, the basic state tax paid by Jews, was introduced in 1549 and – as its name suggests – was payable per head. Problems with the Jewish poll tax collection resulted in its levying in the form of a 'lump sum' in 1581. The institutions of Jewish self-government were to be responsible for the tax collection and for the allocation of that sum to individual Jewish communities, and this resulted in the emergence of a regularly convoked Jewish council¹.

¹ This theory about the Jewish council, and acceptance that it had begun to function in the second half of the 16th c. (around 1580) may be found in the works of such scholars as Majer Bałaban, Simon Dubnow, Raphael Mahler, Ignacy Schiper, Mojżesz Schorr, Jakub Goldberg, Judith Kalik and Adam Kaźmierczyk. However, Israel Halperin, in the introduction to the pinkas of the Crown *Vaad*, which he had 'reconstructed', refrained from any unequivocal statements and concluded that the matter required further study.

According to the second theory which was advanced in older 19th c. works (but also by, for instance, Shmuel Ettinger) and which is now viewed as generally outdated, the beginnings of the Jewish council are connected with the rabbinic court which held its sessions during the fairs in Lublin from the 1520s/1530s. Jan Doktor has recently pointed out that traces of the Jewish council's operations may be found in the period preceding 1581. Recently he has also referred to *haskamah* – a permit to print stamped on the title pages of the Babylonian Talmud which had been printed in Lublin since 1559. It was published by the *Vaad Shloshah Medinot* (Council of Three Lands) of Wielkopolska (Greater Poland), Małopolska (Little Poland) and Lithuania rabbis and yeshivah rectors².

It may be concluded from an analysis of both approaches that they do not contradict each other but only present two stages of the formation of the central representation of Jews and their two essential forms. The first was an assembly of rabbis and yeshivah rectors which dealt with judiciary and scholarly issues – legal interpretations and censorship of published or imported books. That activity would be continued by the tribunal of the Jewish council. In the second half of the 16th c., when it was necessary to collect and allocate the Jewish poll tax, that group of scholars was joined by 'lay' delegates – the representatives of major *lands* and communities. That dualism of 'religious' and 'lay' participants would be present over the entire period of the Jewish council's operation.

In the non-Jewish sources the Jewish diet was labelled as a Jewish convention or congress, general synagogue or Jewish 'generality' (Pol. *generalność*). The Hebrew name of *Vad Arba Aratzot* is translated as

² In Doktor's review of the publication of sources by *Sejm Czterech Ziem. Źródła*, ed. J. Golberg, A. Kaźmierczyk, (2011) in "Kwartalnik Historii Żydów", 2 (2012), pp. 233–234. The review's author also wrote: "Traces of the operation of the representation of the principal *kahals* of Rzeczypospolita may also be found earlier, but its intention was to operate inconspicuously without disclosing its existence to the authorities" (p. 234).

the Council of Four Lands standing for Wielkopolska (Greater Poland), Małopolska (Little Poland), Ruthenia and Volhynia. If Lithuania was included, the convention was called the Council of Five Lands (although Majer Bałaban views Lithuania as one of the four lands along with the Greater and Little Poland and Ruthenia). Sometimes sources mention three or more than five lands.

Initially the Council of Four Lands convened once and later twice a year at the time of the fairs in Lublin (in February) and Jarosław (in September). The conventions were convened during the fairs because it was easier and safer to travel at that time and information could be circulated by merchants coming from all over the country.

In 1623 the Council of Lithuanian Jews (the Lithuanian *Vaad*, Heb. *Vaad Medinat Lita*) broke off from the Council of Four Lands. The main reason was the duality of the Crown's and Lithuania's legal and fiscal system under which the Lithuanian Jews came under the Lithuanian Treasurer (Pol. *podskarbi*) and paid their poll tax to the Lithuanian treasury (prior to that various disputes flared up between the Crown and Lithuanian Jews in which both parties accused each other of an unfair tax sharing). Another important factor that made the Lithuanian Jews leave the structures of the Jewish diet were conflicts between Crown and Lithuanian border communities about their jurisdiction over neighbouring communities and settlements. It was the dispute between Grodno and Tykocin, adjudicated by the Jewish council's tribunal in favour of the Crown community (i.e. Tykocin), that directly brought about that break-up.

The organizational structure of the Lithuanian *Vaad* rested on principal communities (Heb. *rosh ha-kehilah*) which are referred to in non-Jewish sources as the 'principal *kahals*' (unlike the Crown *Vaad* the delegates to which were elected by *Lands*, or otherwise provinces, or major communities which managed to acquire that right). Those communities acted as the main courts (Heb. *rosh beit din*) for the other communities in the area of their jurisdiction. Initially, after the Lithuanian *Vaad* became independent, the principal status was enjoyed by

three communities. The most important of them was Lithuanian Brest – the largest and no doubt the oldest Lithuanian community which discharged the function of a capital community³. The second largest was Grodno⁴, and the third was Pinsk – a relatively ‘young’ Lithuanian community which was established as late as the beginning of the 16th c. Later on the principal communities were joined by Vilnius and Slutsk.

Subordinated to the principal communities were the local communities (Heb. *svivot*). Dependence on the principal community meant obedience to its regulations, subordination to its judiciary, payments of taxes and expenses incurred on common goals. Districts (Heb. *galil*) formed around principal communities covering the areas subordinated to them. Separate districts were also established by larger territorial units such as Samogitia (Żmudź), Belarus, Polotsk and Minsk, despite their dependence on the principal community.

In spite of the *Vaad*'s regulations which aimed at the consolidation of the existing system, the aspirations of communities to become independent, especially those that were growing and gaining status, were evident. In two cases those pursuits were successful. The first was Vilnius, where the process of slackening dependency on the principal community in Brest was gradual. It boiled down to obtaining fiscal independence and district status (1631)⁵, the authority over the centres located near Vilnius and the vesting in the Vilnius Jews the same commercial rights as those enjoyed by the residents of the three principal communities which traded with the communities and settlements un-

³ Jews settled in Brest at the beginning of the 14th c. and in 1388 they were granted a privilege by the Grand Duke Vytautas. In a decision issued in 1636 by the Crown *Vaad* in Lublin, entered into a *pinkas* at the time of the Lithuanian *Vaad*'s session in 1639, the Brest community is referred to as the “first in the kingdom and the most populous, a city devoted to wisdom, knowledge and study” (*Pinkas ha-Medinah* (further: PM), ed. S. Dubnow, (1925), no. 389).

⁴ Jews settled in Grodno in the 14th c., but the privilege, allegedly granted to the Grodno Jews by the Grand Duke Vytautas in 1389, is a forgery coming from the beginning of the 16th c.

⁵ PM, no. 248 (1631)

der the jurisdiction of another principal community (1634)⁶. Eventually, in 1664, the Vilnius community was for the first time referred to as a principal community (according to the record, a consent was granted by two out of four principal communities to use the tax money)⁷.

The other community which managed to obtain principal community status was Slutsk. In the 17th c. it was a property of the Radziwiłł family and was one of the largest private towns of the Grand Duchy of Lithuania⁸. It seems that the policy pursued by the town owners and administrators of their estates played a decisive role in the Slutsk community becoming independent and granted principal community status. In 1681, one of estate administrators, Kazimierz Kłokocki, prohibited the Jews living in the towns and villages of the Duchy of Slutsk-Kopyl: “as of this letter’s date none of you dares bring action against another to Brest, nor pledge allegiance to the Brest *kahal*” under the pain of 100 kops of Lithuanian grosz payable to the duchess’ treasury. The Jews of the Duchy of Slutsk–Kopyl should go to the court in Slutsk, and if sued by an ‘alien’ Jew in the court in Brest “then no Jew of those duchies should go to that court but the one suing him should seek justice in Slutsk”⁹. The controversy over the Slutsk community’s

⁶ PM, no. 293 (1634?)

⁷ PM, no. 578 (1664). In 1673 a reference to four principal communities (PM, no. 684 (1673)).

⁸ In 1600, in the aftermath of a marriage of the last descendent of the Olekiewicz family, Duchess Zofia, with Janusz Radziwiłł, the city became the property of the Radziwiłł family of Birzai. In 1688, Ludwika Karolina (died 1695), a daughter of Bogusław Radziwiłł, married a Neuburg Duke, Charles Philip, from the house of Wittelbach (died 1742). Their daughter, Zofia Elżbieta Augusta (died 1728), inherited her mother’s estate, which was called the Neuburg estate and included Slutsk. A census of 1690 recorded in Slutsk and its outskirts 657 Christian and 215 Jewish households (R. Degiel, *Protestanci i prawosławni. Patronat wyznaniowy Radziwiłłów birżańskich nad Cerkwią prawosławną w księstwie słuckim w XVII w.*, (2000), p. 33).

⁹ Archiwum Główne Akt Dawnych [The Central Archives of Historical Records] (Warszawa), Archiwum Radziwiłłów [The Radziwiłł Archives], XXIII, no. 131 (a letter dated 14 November 1681). That document is published by A. Teller, *Radziwiłł, Rabinowicz, and the Rabbi of Świerż: The Magnates’ Attitude to Jewish Regional Autonomy*

independence continued until 1691 when the final verdict was passed by the *Vaad's* tribunal. The verdict emphasized that Slutsk was a holy town, a cornerstone and stronghold of the law, and a centre of research and study, and that its residents were sated with devotion and humility and that is why they were fit to sit in honorary chairs and to wear the crown of independence. The final decision was that the Slutsk community would be independent forever. From then the leaders of the Brest community were deprived of any authority over the leaders of the Slutsk community and all mutual claims had been nullified. The Slutsk community was granted authority over all neighbouring communities located within a radius of six miles from Slutsk¹⁰.

In the initial years after its establishment the Lithuanian *Vaad* convened quite frequently, even annually, but later it decided to convene every second year which was a natural consequence of the regularity of the nobles' diet sessions at which the level of the Jewish poll tax was decided¹¹. In the second half of the 17th c. the practice of convening every third year became regular¹². From the end of the 17th c. the *Vaads*

in the 18th Century, in: *Studies in the History of the Jews in Old Poland*, ed. by A. Teller, (*Scripta Hierosolymitana* 38, 1998), pp. 270–271. Similar demands that Jews were not subordinated to the authorities and do not pay taxes to centres outside *land* or powiat borders may also be found in dietines' resolutions. For instance in 1733 the Ciechanów dietine decided: "Jews that live in our *land* of Ciechanów *in quibus locis* shall not pay their taxes to any other *kahals* but only to the synagogue of the town of Ciechanów *contribuant*" (*Sejmy i sejmiki koronne wobec Żydów. Wybór tekstów źródłowych*, ed. A. Michałowska-Mycielska, (2006), no. 282).

¹⁰ PM, no. 829 (1691).

¹¹ The regularity of the *Vaad's* sessions was tailored to that of nobles' diets. It follows from the entries in the Lithuanian *Vaad's pinkas* that it kept a close watch of the calendar of the diet's sessions and allowed it to reschedule the dates of the *Vaad's* sessions if necessary. Sometimes, when the date of the following *Vaad* was agreed, a reservation was made that it might be rescheduled if the nobles' diet's sessions were scheduled after its date (PM, no. 391 (1639)).

¹² A mention that the councils were held once every three years may also be found in the act issued by King Jan III Sobieski in 1681 including an order to adjudicate a dispute between the communities of Slutsk and Brest at the time of the closest council

ruled that the next session should convene in four or five years' time. In the 18th c. the *Vaad* actually convened four times. It may have been due to the levying by the Mute Diet (Sejm Niemy) of a fixed amount of the Jewish poll tax in 1717.

The first venue in which the sessions of the Lithuanian *Vaad* were held was Brest¹³, then an alternating system was adopted and in effect it was convened in turn in the districts of principal communities. In the Brest community district sessions were most frequently convened in Sielec, in the Grodno community district – in Zabłudów, and in the Pinsk community district – in Chomsk. All those towns were private (the former two were the property of the Radziwiłł family) and their owners' protection created convenient conditions for conventions. The gathering of Jews for the *Vaad* was beneficial to the owners because it animated the local economy, especially trade¹⁴. It is also likely that

of Lithuanian Jews “whose *kadentia* (term of office) falls once every three years, i.e., this coming winter” (*Акты издаваемые Виленской Коммиссиею для разбора древних актовъ*, 29 (1902), no. 75, 23 December 1681).

¹³ It was decided during the first session that Brest would be the venue of those meetings until the end of the days of the venerable leader rabbi Meir (who died in 1631) who was not able to stand the hardships of travel because of old age. Reference is made to Meir Wahl – a son of the renowned Shaul Wahl – a legendary king of Poland for one day. Shaul Wahl (Katzenellenbogen) (born 1541 [1545] in Venice or Padua, died in 1617 in Brest Litovsk) came as a young man to study in the Commonwealth and settled in Brest Litovsk. He was a royal factor and banker, lessee of salt mines, customs and tolls. It was owing to him that the Brest community and Lithuanian Jews were granted advantageous privileges, he also represented Lithuanian Jews at the Council of Four Lands. Legend has it that after King Stefan Batory's death, when the nobles could not reach any agreement on his successor, he was appointed a King of Poland for 24 hours (one night).

¹⁴ We know of the efforts made by the magnates of the Crown to ensure that the *Vaads* were convened in their estates, for example the intervention by Elżbieta Sieniawska that the *Vaad* be convened in Jarosław (*Sejm Czterech Ziem. Źródła*, no. 183–186, 193, 195–196). There were also cases when the Crown *Vaads* were convened by the Crown Treasurers in their private towns, for instance the last three Crown *Vaads* – in 1762, 1763 and 1764 – took place in Pilica which was then owned by the then Crown Treasurer, Teodor Wessel.

Jews avoided principal communities- large royal towns- to keep a low profile and not to provoke conflicts with burghers and nobility. After Vilnius and Slutsk were granted the principal community status the conventions were also convened in their districts¹⁵. The *Vaad's* sessions continued for four weeks and later on were prolonged to five and six weeks¹⁶.

The *Vaad's* sessions were attended by Lithuania's elders and rabbis sent by the principal communities. During a session they and those accompanying them were paid living expenses, they were also honoured with various distinctions underscoring their position (e.g. a Torah reading). Smaller communities, districts and settlements, given notice by principal communities, also sent delegates to the *Vaad* but only in order to deliver registers of taxes collected, expense accounts and taxpayer registers.

The role of Lithuania's elders did not end on the closing of the *Vaad* session. They returned to their communities and oversaw the implementation of regulations adopted. One may guess that their double role was quite difficult: on the one hand, they were delegated by their communities and, on the other hand, they represented the interests of the central institution which were not always concurrent with local interests.

The *Vaad* had a body of several or even more than a dozen officials who were referred to as the Lithuanian officials. Among the *Vaad's* officials the most important was the *parnas* who is referred to in non-Jewish sources as the 'speaker', most probably due his function which was similar to that of a speaker of the house of deputies of the nobles' diet. The *Vaad* also had its own scribes, *shamesim*, trustees (cashiers or actuaries), tax collectors and *shtadlanim*. The latter's role was very important: they represented the interests of all Lithuanian Jews and maintained contacts with non-Jewish authorities to obtain decisions

¹⁵ PM, no. 829 (1691).

¹⁶ PM, no. 765 (1679) and PM, no. 825 (1687).

that were favourable to Jews. They would go to the royal court or a magnate's seat, nobles' dietines or diets, to various commissions and courts and also municipal and church authorities.

The *Vaad* had its own treasury, and *pinkasim* were maintained in several copies, one for each principal community. The *Vaad's* most important regulations were announced to the public in the synagogue during the *Vaad's* session. They were also made public regularly after the session was over, for instance during a fast or at the beginning of a new month. Fairs were particularly important as places where the *Vaad's* regulations were announced, especially the most frequented. A tribunal was affiliated to the *Vaad* and it decided disputes between communities or between a community and a province, as well as appeals against the verdicts passed by the community courts.

The scope of operations of the Lithuanian *Vaad* was very broad. Apart from state tax allocation and collection, mainly of the poll tax, the council also regulated all issues that were crucial to Jews. The legislation passed by the *Vaad* covered the functioning of community authorities, relations between the principal communities and the communities and settlements under their jurisdiction, judiciary, economic activity, especially lease and lending, Jewish settlement in Lithuania, religious and social issues and also the relations with the Christian population. The latter were of great significance to the *Vaad* which feared that any potential conflicts could affect the situation of all Lithuanian Jews.

It clearly follows from the *Vaad's* regulations that they were guided by the interests of all Lithuanian Jews and their distinctiveness from the Crown Jews. The regulations are general and their priority is to provide the Jewish population with security and convenient conditions for functioning. The gravity of individual issues is best manifested by the fact that the expenses related to them were viewed as common, i.e. covered by money from the coffers of Lithuania's Jews. Mentioned first were expenses related to false accusations: of a Christian child's murder, host profanation or sorcery, a murderer's prosecution, and those that were to prevent any assaults or intrusion. People were aware that such

accusations against Jews ‘heated up’ the public opinion and could have serious consequences for all Lithuanian Jews, including expulsion from Lithuania (but it is hard to say if the awareness of the expulsion of Jews in 1485–1493 played any role in that regard).

The Lithuanian *Vaad*, as the representation of Jews in the Grand Duchy of Lithuania, worked out methods of contact and cooperation with non-Jewish officials and institutions.

Of great interest to the *Vaad* were the sessions of nobles’ dietines and diets at which important decisions regarding Jews were taken and which decided the amount of taxes they paid. For that reason Jewish representatives took energetic steps to gain the nobles’ friendly attitude, especially that of their deputies. That involved expenses including the gifts they were presented with. The expenses incurred at the time of a diet’s sessions initially encumbered the principal and neighbouring communities, but it was quickly concluded, most probably because of the significant amounts that had to be paid, that they should be recognized as common expenses encumbering all Jews living in the Commonwealth¹⁷. The *Vaad* reminded everyone that it was necessary to cover such expenses at the time of the nobles’ diets when the ‘noblemen cast covetous looks upon Jewish money’ and charged every community and settlement with a duty to make efforts for the country’s benefit, so that no disturbing and dangerous thing is written in the instructions addressed to the diet’s deputies¹⁸.

At the time of dietines, Jews also had to cover expenses of a different kind. In the diet’s venues the Jewish population was exposed to a risk of robbery and of being plundered, mainly by noblemen’s servants and soldiers. Therefore they had to pay ‘ransoms’ to prevent any potential losses or to assure the safety of Jews during the sessions¹⁹.

¹⁷ PM, no. 296 (1634). Repeated in 1639 (PM, no. 369).

¹⁸ PM, no. 654 (1670).

¹⁹ According to Josef Bursztyn the dietine of the Sandomierz voievodship that convened in Opatów was a “downright plague” to the local Jews who had to bribe its

It was with special attention that the Lithuanian *Vaad* kept track of the decisions taken at the diets where general regulations regarding the Jewish population were taken and the level of poll tax and other payments were decided. Due to the *Vaad's* obligation to allot and collect the Jewish poll tax, the dates of its sessions were tailored to the calendar of the nobles' diets. The *Vaad's* representatives regularly went to the diets in Warsaw and Grodno. The principal communities were obliged to send one representative and, in the regulations, reference is most frequently made to their elders²⁰. Their expenses and the remunerations for their efforts were to be covered from Lithuania's coffers. The regulations frequently emphasized that those sent to the diet's sessions should be holding appropriate positions permitting them to stay at royal and magnates' courts meaning that factors and servitors would in fact discharge that function. Apart from the principal community representatives the diet's debate was also followed by the country's *shtadlanim*. Their duty was to go to the diet's sessions and the regulations frequently reminded them that it was necessary to come punctually to a session's opening. As in the case of the principal community representatives, it was emphasized that *shtadlanim* were permitted to visit royal and magnates' palaces.

speaker, assistants and servants with money and gifts in kind to prevent the assaults by the speaker's servants. In spite of that – as evidenced by an entry in the *pinkas* of the Opatów *kahal* – there were robberies from Jewish property (J. Bursztyn, *Żydzi opatowscy na przełomie XVII i XVIII w.*, M.A. dissertation, Archiwum Uniwersytetu Warszawskiego [The Archives of the Warsaw University], KEM 3318, p. 9). In his article Anatol Leszczyński published a list of the expenses incurred by the Opatów *kahal* during the diet's session in 1752. Apart from cash, individual noblemen or their officials were presented with various gifts, mainly sugar and coffee, but also lemons, oranges, fabrics or shoes. Servants or soldiers were usually given less sophisticated goods: bread, meat, tobacco, snuff or kerchiefs. According to the register, the municipal officials were paid remunerations "for their efforts" during the dietine (A. Leszczyński, *Ekspensy kahału opatowskiego na sejmiki szlacheckie województwa sandomierskiego w 1752 r.*, "Czasopismo Prawno-Historyczne", 38 (1986), pp. 193–197).

²⁰ PM, no. 269 (1632), PM, no. 688 (1673), PM, no. 761 (1679).

At the same time others, who had not been granted written permission by their principal community, were strictly prohibited by the *Vaad* from going a diet's session. Those who disregarded that prohibition stood the risk of serious penalties and elders in the community were ordered to resort to any means to prevent such a person from going²¹. However, it was noted in 1661 that many disregarded the ban and went to the nobles' diets in Warsaw, thus provoking many conflicts. Therefore the former regulation was reinstated and the principal communities were again ordered to announce the ban in synagogues 30 days in advance of each diet on the pain of *cherem* and to warn against such a trip²².

During the diet's sessions the Jewish delegates, both those delegated by principal communities and the *Vaad's* officials, made various efforts for the benefit of Lithuanian Jews. In Hebrew sources they are labelled as *shtadlanut* and they are best translated as 'lobbyists'. They tried to block draft legislation disadvantageous to Jews, mainly to prevent the adoption of any Jewish poll tax increases and additional encumbrances, and to obtain favourable provisions in the diet's constitutions²³. The above efforts by Jewish delegates did sometimes result in accusations that they contributed to the breaking-up of sessions in order to prevent the adoption of legislation with provisions that were not beneficial to Jews²⁴.

²¹ PM, no. 39 (1623).

²² PM, no. 534 (1661).

²³ PM, no. 390 (1639) – Due to the endeavours of the Vilnius community because of the assaults, it was agreed to spend up to 5000 Polish zloty by guaranteeing a refund of one fifth of that sum from the country's coffers. It was also noted that should those efforts be beneficial to all Jews in the form of a favourable legislation of the nobles' diet, the Vaad would consider the refund of a higher amount from the common coffers.

²⁴ The instruction adopted in 1744 by the Liw land's dietine for its deputies to the diet read: "[...] as there is *innumerosa progeneratio* of Jews in the Polish Crown and they have come to such perfection that they have their own diets and spoil ours" (*Sejmy i sejmiki koronne*, no. 359).

How effective were those efforts? The recommendations formulated by the Lithuanian *Vaad* for their delegates to the diets were usually of a very general nature (to act for the benefit and well-being of all Jews) which makes it difficult to assess how efficient those endeavours were. The delegates were charged with more specific tasks during the *Vaad* of 1651: they were to obtain a decision about the collection of a ‘lump-sum’ hearth tax which had recently been levied on Lithuania²⁵. The constitution of the extraordinary diet’s session that was convened in Warsaw in 1652 refers to 20 000 hearth tax zloty to be paid by Lithuanian Jews²⁶, so it is clear that the prescribed efforts were successful. During the *Vaad* of 1655 the *shtadlanim* were told to take steps guaranteeing that the diet’s constitution included a provision that non-Jews were to help with tax collection from Jews. Its intention was that every magnate and administrator must help with the tax collection from every community and settlement, in keeping with the decisions by the principal community’s elders²⁷. A clear outcome of the *shtadlanim*’s efforts was a provision that “assistance by various offices is to be provided in respect of those who object”²⁸ was included in the legislation of the extraordinary diet that held sessions in Warsaw in May and June 1655 regarding the poll tax payable by the Jews of the Grand Duchy of Lithuania.

The actions taken during the diet’s sessions involved high expenses. The senators and deputies who attended those sessions were presented with gifts, and also the king and members of his retinue. To cover those expenses a portion of the national tax was commanded to be sent to the diet’s venue. Communities or districts lagging behind with payments were threatened that their representatives staying in Warsaw would draw a loan on their account or would confiscate the assets of those

²⁵ PM, no. 487 (1651).

²⁶ *Sejmy i sejmiki koronne*, no. XC.

²⁷ PM, no. 518 (1655).

²⁸ *Sejmy i sejmiki koronne*, no. XCIV.

living under their jurisdiction. The distribution of expenses incurred during a diet's sessions was also a bone of contention between the Crown *Vaad* and the Lithuanian *Vaad* and on several occasions had to be adjudicated by the rabbinic court.

Due to the taxes paid by Jews, especially the Jewish poll tax, the *Vaad*'s representatives had contacts with treasurers and their officials. Those contacts were particularly intense during the sessions of the noble's diet. It was agreed how the Jewish poll tax was to be paid, levels of individual instalments and payment dates. At the beginning of the 17th c. Jews collected taxes on their own and then the money was paid to the treasury, but at the end of the same century it became a regular practice that military units were handed written orders for it. Based on the receipts handed in, the treasurer acknowledged the poll tax in a given year. The system of contacts between the *Vaad* and non-Jewish officials resulting from the way the Jewish poll tax was paid changed in 1717. It was then that the Mute Diet set a fixed amount for the poll tax, which in the case of Lithuanian Jews was to be 60 000 zloty, of which 20 000 went towards the payment for the 'banner' (= military unit) of the Lithuanian Tribunal, and 40 000 was earmarked for the remuneration of the great Lithuanian hetman (the second highest military commander). This meant that the Lithuanian *Vaad* had to keep in touch with the hetman and his officials.

The judiciary was another platform of contact between the *Vaad* and non-Jewish institutions. The *Vaad*'s representatives attended the sessions of the Lithuanian Tribunal and in 1639, the *Vaad* commanded the appointment of a special *shames* that would stay for good in the venues where the Lithuanian Tribunal convened. His task was to oversee the trials of Jews handled by the Tribunal and also to keep track of other lawsuits that were adjudicated there²⁹. The *Vaad* commanded that all possible steps be taken and expenses be made to support any

²⁹ PM, no. 394 (1639).

Jew whose case would be adjudicated by the Tribunal, especially if his life was at risk.

Jews were prohibited from turning to non-Jewish courts, especially when they brought actions against Jewish institutions. Severe penalties, and especially *cherem*, faced anyone seeking the protection of non-Jewish authorities against a verdict of a Jewish court and anyone who tried to free himself from payment of taxes due to the community or nationally. This applied both to individuals and communities³⁰. It was also prohibited to exercise (or threaten) duress with the help of non-Jewish institutions, and the only exception was the enforcement of debt payment or tax collection³¹.

To non-Jewish officials and institutions, but also to individuals, the Lithuanian *Vaad* was a central representation of Lithuanian Jews to which one could turn in serious disputes and charges. An example of the latter situation is found in 1670, at the time of the *Vaad* convoked in Sielec. The Rev. Krzysztof Przeclawski, a Vilnius dean and prelate, asked the *Vaad* to guarantee the appearance before the court of several Jews accused of theft, including church objects, raids, robberies, illegal imprisonment and murder, and also of the forgery of the Lithuanian treasury's stamp thus exposing the Lithuanian treasury to losses³².

It also follows from the regulations that the *Vaad* worked out a means of rapid and efficient response both in the case of the 'day-to-day' activity of non-Jewish institutions (the nobles' diet, dietines and tribunals), and in extraordinary situations such as accusations of a ritualistic nature (ritual murder, host profanation). From that perspective the Jewish council looks like a central representative of the entire national Jewry (of which the Christian burghers were deprived).

³⁰ PM, no. 690 (1673).

³¹ PM, no. 879 (1694).

³² *Акты издаваемые Виленскою Археографическою Коммиссиею*, 5 (1871), no. 445.

Like the Crown *Vaad*, the Lithuanian *Vaad* was dissolved during the convocation diet of 1764, as part of administrative and fiscal reform.

In the literature on the subject one may come across statements about the exceptional role of the *Vaads* in the Polish-Lithuanian Commonwealth, their impact on the flourishing of Jewish life and the condition of all Jews in Lithuania. There are also comments critical of the *Vaads*' functioning³³. But what is undeniable is the significance of the protection they provided to communities and individual Jews against non-Jewish institutions or landowners and their officials. It should also be noted that the *Vaads* of the Commonwealth were not the only institutions of that kind operating among Central European Jews. It may be worthwhile to have a closer look at similar councils and their Jewish representatives operating in Moravia or the German states as that topic has not as yet been sufficiently examined.

Translated by
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SEJM ŻYDÓW LITEWSKICH (1623–1764)

CENTRALNA ŻYDOWSKA REPREZENTACJA KRAJU

(STRESZCZENIE)

Sejm Żydów Litewskich (hebr. *vaad medinat Lita*) został utworzony w 1623 roku przez usamodzielnienie się od sejmu żydowskiego zwanego Sejmem Czterech Ziem (powstałego około 1580). Gównym powodem wyodrębnienia się tej instytucji był dualizm skarbowości Korony i Litwy, przy którym Żydzi litewscy w naturalny sposób podlegali podskarbiemu litewskiemu. Zakres działalności Sejmu Żydów Litewskich był bardzo szeroki. Oprócz rozkładu i poboru podatków państwowych sejm regulował

³³ In the above-mentioned review of the publication of sources by Golberg & Kaźmierczyk, Doktor wrote about the dark side the *Vaads*' functioning – the censorship of printed and imported books and restrictions on the operation of printing houses. “It may be said in a provocative way,” writes Doktor “that the culture of Polish Jews experienced its two Golden Ages: before the foundation of the diets and dietines of Polish Jews and after they were dissolved” (“Kwartalnik Historii Żydów”, 2 (2012), p. 235).

wszystkie istotne dla Żydów kwestie (administracyjne, gospodarcze, religijne, społeczne), a także kwestie kontaktów z instytucjami nieżydowskimi i ludnością chrześcijańską. Waad litewski, podobnie jak koronny, został rozwiązany w czasie sejmu konwokacyjnego 1764, w ramach reform administracyjno-skarbowych.

DAS PARLAMENT DER LITAUISCHEN JUDEN (1623–1764)

DIE ZENTRALE JÜDISCHE VERTRETUNG DES LANDES

(ZUSAMMENFASSUNG)

Das Parlament (der Sejm) der Litauischen Juden (Hebräisch *waad medinat Lita*) entstand 1623 durch die Teilung des jüdischen Parlaments, dem sog. Sejm der Vier Länder (gegründet um 1580). Der Hauptgrund für die Ausgliederung der Institution war der Dualismus des Finanzwesens von Polen und Litauen, die litauischen Juden unterstanden traditionell dem litauischen Schatzmeister (Pol. *podskarbi*). Der Zuständigkeitsbereich des Sejms der Litauischen Juden war sehr breit. Neben der Erhebung und Verteilung der staatlichen Steuern war der Sejm für alle für die Juden relevanten Fragen (administrative, wirtschaftliche, religiöse und soziale) zuständig sowie für die Kontakte mit nicht-jüdischen Institutionen und der christlichen Bevölkerung. Ebenso wie in Polen wurde auch der Litauische Vaad während des Konvokationssejms 1764 aufgelöst, im Rahmen der Verwaltungs- und Steuerreform.

Übersetzt von
Renata Skowrońska

THE SEYM OF LITHUANIAN JEWS (1623–1764)

THE CENTRAL JEWISH REPRESENTATION OF THE COUNTRY

(SUMMARY)

The Sejm of Lithuanian Jews (Hebrew: *waad medinat Lita*) was established in 1623 by breaking away from the Jewish sejm called the Council of the Four Lands (created about 1580). The main reason for the division of the institution was the dualism of the Crown treasury and Lithuania (Lithuanian Jews were answerable to the Lithuanian treasurer [*podskarbi*]). The scope of the activity of the Sejm of Lithuanian Jews was very broad. Apart from the distribution and collection of taxes, the sejm settled all problems important for Jews, which included administrative, economic, religious

and social questions. It also regulated issues connected with contacts with non-Jewish institutions and the Christian population. The Lithuanian Waad, like its counterpart in the Polish Kingdom, was dissolved at the convocation seym of 1764 as part of administrative and financial reforms.

Translated by
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Słowa kluczowe / Schlagworte / Keywords

- Litwa; XVII i XVIII wiek; sejm żydowski; autonomia żydowska
- Litauen; 17. und 18. Jahrhundert; jüdisches Parlament; jüdische Autonomie
- Lithuania; 17th and 18th c.; Jewish council; Jewish autonomy

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