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THE GENERAL PRIVILEGES GRANTED BY POLISH KINGS TO THE LITHUANIAN KARAIMES IN THE 16–18TH CENTURIES

The Karaimes arrived in the Lithuanian lands from the Crimea at the turn of the 14th and 15th centuries. It was probably Vytautas, the Grand Duke of Lithuania, who brought them there and settled them in various towns. We learn from later sources that the Karaimes lived in such towns as Trakai, Birzai, Ponevezh, Siaulias and Pasvalys. The Karaim centre in Lithuania was in one of her old capitals, Trakai, in the home territory of Grand Duke Vytautas. All the rights granted to the Karaimes in this town were later extended to their fellow believers who lived in other towns of Lithuania.

The first general privilege was undoubtedly granted to the Trakai Karaimes by Duke Vytautas himself, who, in the process of formulating his privilege, used to a great extent the Kalisz statute for the Jews in Great Poland, issued by Prince Bolesław (Boleslaus) the Pious on 16 August 1264. However, this privilege, issued for Trakai Jews (presumably the Karaimes) in Łuck on 24 June 1388, has aroused suspicion among historians. Some think that it refers rather to Jews than the Karaimes or it is simply a forgery¹.

In contrast, the authenticity of the privileges granted by Kazimierz (Casimir) Jagiełłończyk, the Grand Duke of Lithuania, issued on 27 March 1441, which granted Magdeburg rights to the Karaimes, has not been questioned. This document gave the Karaimes equal rights to those which Christians in Trakai, Vilnius and Kaunas enjoyed. Therefore, the Trakai Karaimes had the right to choose of their own *wójt* (municipal officer) who had many prerogatives. What is most significant is that the Karaim *wójt* led the community and presided over lawsuits between his fellow believers in the local court. He was only accountable to the Duke and his court. In lawsuits between the Karaimes and Lithuanians or Russians the court met collectively in the presence of the Karaim *wójt* and district governor or his deputy. Moreover, the Karaimes were entitled to a half of the income of the town scale and wax production². On the other hand, they paid the same taxes as other burghers³.

¹ *Vitoldiana. Codex Privilegiorum Vitoldi Magni Ducis Lithuaniae 1386–1430*, collected and edited by J. Ochmański, Warszawa–Poznań 1986, pp. 168–171; *Privilege to Jews Granted by Vytautas the Great in 1388*, ed. S. Lazutka, E. Gudavichius, Moscow–Jerusalem 1993/5753, p. 119, [2]; M. Bałaban, *Karaici w Polsce. Studium historyczne* [in:] M. Bałaban, *Studia historyczne*. Warszawa 1927, p. 56; J. Tyszkiewicz, *Karaimi litewscy w czasach Witolda i sprawa przywileju datowanego rokiem 1388*, „Studia Źródłoznawcze”, vol. 36: 1997, pp. 45–62.

² There were halls where tallow was melted and where wax was melted, molded and weighed and then marked with the town seal. *Encyklopedia staropolska*. Vol. 2: N–Ż, ed. A. Brückner, Warszawa 1990, columns 936–937.

³ *Sbornik 'starinnych' gramot' i uzakonenij rossijskoj imperii kasatel'no prav' i sostojanija ruskopoddannyh' Karaimov'*, Izdanie Z. A. Firkoviča, S.–Peterburg' 1890, pp. 1–7; *Religie na ziemiach Polski i Litwy w średniowieczu*, ed. J. Drabina, Kraków 1989 p. 189.

The privilege of Kazimierz Jagiellończyk (Casimir Jagiellon) was confirmed on 17 December 1492 by Aleksander Jagiellończyk, the Grand Duke of Lithuania. Unfortunately, this document has not been preserved, nor have we got any copies of the text. The scant information about the existence of this document comes from the general privileges granted to the Lithuanian Karaimes living in the 16th – 18th centuries⁴.

Undoubtedly, the rights for the Trakai Karaimes also referred to their fellow believers in other Lithuanian towns or settlements, as was confirmed by the practices of modern times. It seems, however, that the *wójt* was elected only in Trakai and his authority extended over the remaining Karaim communities. The metropolitan status of Trakai was also testified by later general privileges for the Lithuanian Karaimes, issued from the 16th to the 18th century. During this period, there were nine certain royal privileges for the Trakai Karaimes and the whole of Lithuania and a dubious one.

Five original general privileges, written on parchment and issued by Polish kings for the Trakai Karaimes and the whole of Lithuania, have been preserved. These are the documents of the elective kings: Stefan Bathory's issued on 15 May 1579 (Vilnius), Zygmunt III Vaza's on 2 November 1611 (Warsaw), Jan Kazimierz's on 27 July 1654 (Warsaw), Jan III Sobieski's on 3 March 1679 (Gardinas) and August II the Strong's on 20 June 1701 (Warsaw). Other royal privileges are known from their copies and transcripts. They include the documents of the Polish kings: Zygmunt (Sigismund) I the Old's on 23 November 1507 (Gardinas), Władysław (Ladislaus) IV Vaza's on 28 June 1633 (Vilnius), Michał Korybut Wiśniowiecki's on 25 April 1670 (Warsaw) and Stanisław (Stanislaus) August Poniatowski's on 12 November 1776 (Warsaw)⁵. Finally, the document of King Stanisław August tells us that King Zygmunt II August also granted a separate general privilege to the Trakai Karaimes. However, no date was given⁶. Looking at other literature on this subject, we may conclude that the document was signed by the king on 29 December 1551.

The first general privilege granted to the Trakai Karaimes in modern times, as it was already mentioned, was issued by Zygmunt I the Old. His document is directly related to the above mentioned privilege of 1441 by Kazimierz Jagiellończyk, the Grand Duke of Lithuania, in which the king granted Magdeburg rights to the Trakai Karaimes. One can also see new articles in Zygmunt's privilege besides those rights which were conferred earlier. By virtue of this act the Karaimes were obliged to annual rent, which they paid on equal terms with other townspeople. They could not be forced to pay other tributes and taxes but for military needs of the fatherland. Besides the right to use the town scale and wax pot, they had the right to be clothiers and porters. They could till their own lands for crops and pasture their cattle on their meadows. The Karaim merchants could travel freely all over Lithuania without paying any tolls. The Karaimes in Trakai were exempt from keeping watch, providing horse and cart and serving in the castle⁷. This document was confirmed at the request of the Trakai Karaimes in 1579 by King Stefan Bathory⁸.

⁴ M. Bałaban, *Karaici w Polsce*, p. 57.

⁵ Library of the Lithuanian Academy of Sciences in Vilnius (LLASiV), Manuscript Department, F. 301-1-5; Town books of Upyte. The Historical Archives of Lithuania in Vilnius (HALiV), F. S.A. B/5222, c. 9-14v.

⁶ Town books of Upyte. HALiV, F. S.A. B/5222 c. 9-14v.

⁷ LLASiV, Manuscript Department, F. 301-1 c. 2-3.

⁸ Ibid.

On the same day, namely on 15 May, this ruler validated another privilege to all Trakai townsmen: Catholics, Orthodox, and Tatars as well Karaimes. This act was originally issued by King Zygmunt August in Warsaw on 22 July 1570. King Stefan Bathory confirmed the right to hold two week-long fairs a year, consent having been already given by Zygmunt I. The fairs were to begin: the first one on St. Agnes' Feast Day (21 January) and the second one on St. Bartholomew's Feast Day (24 August). The merchants from Vilnius and Kaunas on their way to their towns had to take the main road through Trakai. Here they had to go over the bridge on Lake Galve, where the townsmen of Trakai could charge a toll: one grosz on a merchant's cart pulled by a single horse or two groszy on a cart pulled by two horses. These charges were to be spent on future repair of the bridge or the needs of the town⁹.

King Zygmunt III confirmed all the above mentioned privileges for the Karaimes and townsmen of Trakai in 1611¹⁰. The ruler validated only the rights in force without adding any new articles.

What is more interesting is the privilege of the next ruler of the Kingdom of Poland Władysław IV Vaza, who already on day of his coronation confirmed all privileges and rights of both the Lithuanian Jews and the Karaimes. Whereas in 1633, at the request of the Karaim *wójt* of Trakai Ezajasz Judzicz, the king again granted privileges to the Trakai Karaimes. This document defined the Karaimes correctly, and not as Jews. Then Jan Kazimierz validated the privileges of Władysław IV as a whole and without any amendments in 1654¹¹. Similarly, at the request of the Karaim elders, in the persons of Michał Kobecki Gierszonowicz and Samuel Czyrykowicz, King Michał Korybut Wiśniowiecki confirmed the privilege in question in 1670¹².

During the reigns of the latter king the Lithuanian Karaimes infringed, or perhaps interpreted wrongly, the privileges that they had. For they built a new sanctuary in the town of Pasvalys, south of Birzai, which was situated about 200 km from Trakai. In Pasvalys, the Karaimes also elected their own *wójt* and they did not reject the authority of the Trakai governor. The governor of Trakai, Marcin Ogiński, got very irritated and lodged a complain against the Karaimes of Pasvalys to the King himself, who, by virtue of a separate document of 5 August 1672, overthrew the Pasvalys *wójt* and abolished the local sanctuary. Michał Korybut Wiśniowiecki again put the Karaimes in Pasvalys under the jurisdiction of the Trakai governor and the authority of the Karaim *wójt* in Trakai. The Pasvalys Karaim community had to pay a fine of 400 red zloty for the violation of the obligatory rights. One half of the sum was transmitted to the royal treasury and the second half to the Trakai governor¹³. Thus, the Pasvalys Karaimes' attempt to become independent of metropolitan Trakai was not successful.

We only possess a copy of the general privilege of Michał Korybut for the Trakai Karaimes, which was issued in the general privilege of John III Sobieski for the

⁹ LLASiV, Manuscript Department, F. 301–1 c. 6–7v.

¹⁰ Ibid, F. 301–2 c. 1–3. A copy is to be found in town books of Trakai dated 28 July 1631. Ibid, F. 301–210 c. 1.

¹¹ Ibid, F. 301–3 c. 2–3. A copy is to be found in town books of Trakai dated 10 March 1663 r. Ibid, F. 301–210 c. 1

¹² Ibid, F. 301–4 c. 2–4.

¹³ Note made on 30 August 1672. Town books of the Trakai court. Court books – reports of court settings in urgent matters. HALiV, S.A. 5939 c. 1497–1498v.

Karaimes in 1679¹⁴. The latter document was, in turn, presented to the next king of Poland, August II the Strong, by the Karaim *wójt* Abraham Moszkiewicz and two other representatives of the Trakai community, Abraham Poziemski and Samuel Sadkowicz. The king validated this privilege and extended it over the whole Grand Duchy of Lithuania¹⁵.

Finally, the last general privilege for the Trakai Karaimes and the whole Grand Duchy of Lithuania was signed by Stanisław August Poniatowski in 1776. This document is known only from its copy, to be found in the town books of Upyte, Ponevezh. It was written there on 14 January 1777 at the request of the Karaim Abraham Kaptunowski, citizen of Ponevezh, and 'the Rabbi of the whole Trakai Synagogue', i.e. the *hazzan* – Karaime spiritual leader. It was because of the *hazzan* A. Kaptunowski and the Trakai *wójt* Samuel Abrahamowicz Łabanowicz that the King confirmed all earlier general privileges to the Trakai Karaimes and the whole of Lithuania which were granted previously by Grand Dukes of Lithuania and by Polish kings¹⁶.

The Karaimes themselves often referred to the privileges of Grand Dukes of Lithuania and Polish kings. The same action was taken by rulers of the Kingdom of Poland in case these documents were infringed either by the Karaimes (an example from the times of King Michał Korybut was mentioned above) and other subjects of the Kingdom, including high royal officials. Let us only mention the evidence of 'The letter of reprimand from His Majesty Zygmunt August to the Honourable Governor' Stefan Zbarawski of Trakai, written in Warsaw on 26 June 1570. The deputy of this governor Paweł Drucki Sokoliński (d. 1593), who got the office of *ciwun* and Trakai *horodniczy*¹⁷, broke the prerogatives of the Karaim *wójt* in Trakai, Elias Izakowicz. He forbid the Trakai *wójt* to perform the function of judge over the Karaimes, claiming the right for himself. The Karaimes lodged a complaint against the deputy to the governor Stefan Zbarawski, who had himself earlier confirmed the choice of Izakowicz as elected by the Karaim community and confirming his powers to judge their fellow believers. Only matters between Christians and the Karaimes belonged to the competence of the governor or his deputy. Having been unsuccessful in their plea, the elders of the Trakai community, Elias Izakowicz and Józef Misanowicz Gebbajewicz, entered a protest against the royal officials to King Zygmunt August himself. They presented him with the privilege of Zygmunt I the Old, confirming their old rights and liberties. The monarch complied with the request of the Trakai Karaimes and, using strong words, he reprimanded the Trakai governor, commanding him not to break the Karaimes' privileges any more¹⁸.

To sum up, one should state that the Lithuanian Karaimes from the beginning of their settlement at the turn of the 14th and 15th centuries in the lands of the Grand Duchy of Lithuania, possessed general privileges, which made them equal in rights

¹⁴ LLASiV, Manuscript Department, F. 301–4 c. 2–4.

¹⁵ Ibid, F. 301–5 c. 2–5v.

¹⁶ Town books of Upyte, HALiV, F. S.A. B/5222 c. 9–14v.

¹⁷ *Urządnicy dawnej Rzeczypospolitej XII–XVIII wieku. Spisy*, ed. A. Gaśsiorowski, vol. 11: *Urządnicy centralni i dygnitarze Wielkiego Księstwa Litewskiego XIV–XVIII wieku. Spisy*, Kórnik 1994, pp. 97, 241.

¹⁸ LLASiV, Manuscript Department, F. 301–327 c. 1–8; National Russian Library in St. Petersburg. Manuscript Department, F. 293: *Zapadno-russkije akty*, op. 1 doc. no 421.

with the local Jews in accordance with the privilege of Boleslaw the Pious in 1264. The Lithuanian dukes took a further step in giving liberties to the Trakai Karaimes by granting them Magdeburg rights following the pattern of Christian towns in Vilnius, Kaunas and Trakai. Thanks to this, the opponents of the Talmud living in Trakai could choose officials from the own fellow believers and these had administrative and judicial authority. The privileges of the Trakai Karaimes were then extended to the believers of this religion in the whole Grand Duchy of Lithuania and were validated by almost all of the Polish kings. The Karaim communities in the territories of Podolia, Volhynia and Ruthenia had a similar legal status. Thanks to the institution of *wójt* in the Karaim settlements, a proper interpretation of documents coming from the chancelleries of rulers of Poland and Lithuania and their officials is made easier, even despite the fact that the people of these settlements were defined as Jews because this institution did not exist in the *kahals* of the Kingdom of Poland.

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