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CROSSING BARRIERS – GROWING BARRIERS. JEWS IN LATE MEDIEVAL WARSAW

Abstract

The article deals with the question of the existence of the Jewish community and the barriers between Jews and non-Jews in the Old Warsaw from the 1420s to the 1520s. The contact points and areas of the two communities, as well as the tools used to communicate between them, are distinguished. Firstly, Jewish property in the space of Old Warsaw, as well as neighbouring and economic contacts, are noticed. Then, the presence of Jews both from Warsaw and other towns and regions in court sessions is analysed. Local and Lithuanian or Volhynian Jews appeared in the Old Warsaw town hall. However, the most important place for official meetings of Warsaw Jews with the Christian community was the court for nobles. It is visible that the first half of the fifteenth century was a unique period with a far-reaching agreement between the Christian inhabitants of Warsaw and its surroundings and the members of the local Jewish community. Within the linguistic area, the communication tools were Polish and German, while Latin, possibly familiar to some Jews, was not a significant communication barrier. Hebrew had its position in the bureaucratic system as well. The protection of the local duke secured a relatively harmonious economic cooperation, which was fostered by the then economic situation of Mazovia. The mid-fifteenth century brought a violent turn, which was influenced by the changes in the political and economic situation, as well as the religious atmosphere. Warsaw burghers started to perceive the Jews as competition, as ‘others’, and began to approach them with growing hostility.

Keywords: late medieval Warsaw, Old Warsaw, Jews in late medieval Poland, Jewish community

Medieval Warsaw was one of the biggest towns in Mazovia, and until 1526, the town was tied with the Kingdom of Poland by means of fealty. In the fifteenth century, it consisted of a few organisms: two municipalities of Old and New Warsaw and the linked suburbs.

The focus of my interest is mainly Old Warsaw, a significant trade centre and a town serving different administrative and residential functions. In the first half of the fifteenth century, it contained about 2400 residents; at the beginning of the following century, around 3600, and the neighbouring New Warsaw had about 500 at the beginning of the century and 1000 residents at its end.¹

The first indications of Jewish presence in Old Warsaw come from the second decade of the fifteenth century. From the beginning of the 1420s, there has been relatively rich source material on the subject. At that time, the Jews of Old Warsaw had established a religious community, a synagogue, a cemetery, and a bathhouse. It is estimated that in the late Middle Ages, the Warsaw Jewish community consisted of about 100–160 people.² Scholars repeatedly stress that the situation of Jews in Old Warsaw changed over the fifteenth century, from the heyday of the opening three decades through the first serious conflicts in the mid-1450s,³ the introduction of considerable restrictions on the autonomy of the Jewish population in Mazovia by a decree of Duke Konrad III in 1469,⁴ unspecified problems the Warsaw Jewish

¹ Piotr Łozowski, *Kredyt i dom. Rynki obrotu pieniężnego i nieruchomościami w Warszawie okresu XV i początków XVI wieku* (Białystok, 2020), 52. Several aspects of the medieval and early modern society of Warsaw have recently also been studied in Piotr Łozowski, *Rodzina w Starej i Nowej Warszawie w XV i początkach XVI wieku* (Białystok, 2021); Krzysztof Mrozowski, *Przestrzeń i obywatel Starej Warszawy od schyłku XV wieku do 1569 roku* (Warszawa, 2020); cf. also Agnieszka Bartoszewicz, 'Inclusion and Exclusion. Intercultural Relationships in Old Warsaw in the Fifteenth and Sixteenth Centuries in Light of the Municipal Registers', in Beata Możejko, Anna P. Orłowska, and Leslie Carr-Riegel (eds), *Networking in Late Medieval Central Europe. Friends, Families, Foes* (London–New York, 2023), 64–76.

² Emanuel Ringelblum, *Żydzi w Warszawie, i: Od czasów najdawniejszych do ostatniego wygnania w 1527 r.* (Warszawa, 1932), 7–15, 54–5; Hanna Zaremska, *Żydzi w średniowiecznej Polsce: gmina krakowska* (Warszawa, 2011), 191, 253–4. The latter has also a German version: *ead.*, *Juden in mittelalterlichen Polen und die Krakauer Judengemeinde* (Osnabrück, 2013), 17.

³ The lack of source material makes it impossible to determine what caused the disturbances in the functioning of the Jewish community in Warsaw and the interruption of the economic and credit activities of the Jews in 1454 and 1455. However, Warsaw is likely to have been the site of anti-Jewish riots related to the activities of John of Capistrano in Eastern Central Europe. See: Ringelblum, *Żydzi*, i, 11–6. Cf. also notes 69–70.

⁴ Zaremska, *Żydzi*, 323–4; *ead.*, 'Jews and Their Attitude towards Christians in Medieval Poland', *Acta Poloniae Historica*, 101 (2010), 142–3.

community experienced in the mid-1480s,⁵ and finally the exile, which probably took place gradually at the end of the fifteenth and in the early sixteenth centuries. In 1527, the publication of a document prohibiting Jews from living in Old and New Warsaw and the suburbs formally ended the legal existence of the Jewish community.⁶

Historians have long focused their interest on the several decades of the life of the Jewish community in medieval Warsaw, Mazovia, and the Kingdom of Poland.⁷ The importance of the barriers separating Old

⁵ For more, see the study by Hanna Węgrzynek, who emphasises that the absence of mentions of the Jewish people between 1483 and 1486 may be coincidental. *Ead.*, 'Czy w 1483 r. książę mazowiecki Bolesław V wygnął Żydów z Warszawy? Możliwości interpretacji dokumentów miejskich', in Stanisław Rosik and Przemysław Wiszewski (eds), *Causa creandi o pragmatyce źródła historycznego* (Wrocław, 2005), 513–7.

⁶ The document published by King Sigismund I after the incorporation of Mazovia was edited by Emanuel Ringelblum: *id.*, *Żydzi*, 144–5. For more information on the history of Jews in medieval Warsaw, see: Paweł Fijałkowski, 'Trudne początki Gminy Żydowskiej w Warszawie (XV–XVIII w.)', *Rocznik Warszawski*, xxxvi (2008), 383–8; *id.*, 'Obecność Żydów w Warszawie w XVI–XVIII wieku', *Kwartalnik Historii Żydów*, ccxli, 1 (2012), 5–17; *id.*, 'Rzekomy przywilej "de non tolerandis Judaeis" a początki osadnictwa żydowskiego na Mazowszu', in Krzysztof Pilarczyk and Stefan Gąsiorowski (eds), *Żydzi i judaizm we współczesnych badaniach polskich*, ii: *Materiały z konferencji Kraków 24–26 XI 1998* (Kraków, 2000), 29–34; Zaremska, *Żydzi*, 191–5; 209–95; Hanna Węgrzynek, 'Żydzi w Warszawie przed XIX wiekiem', in Eleonora Bergman and Olga Zienkiewicz (eds), *Żydzi Warszawy. Materiały konferencji w Żydowskim Instytucie Historycznym w 100. rocznicę urodzin Emanuela Ringelbluma (21 listopada 1900 – 7 marca 1944)* (Warszawa, 2000), 27–40; *ead.*, 'Czy w 1483 r.', 513–7; Grzegorz Myśliwski, 'Royal and Ducal Legislation for the Ethnic Communities in Selected Cities of the Polish Territories (Twelfth to First Half of the Sixteenth Century)', in Przemysław Wiszewski (ed.), *Legal Norms and Political Action in Multi-Ethnic Societies* (Tournhout, 2023: Cohesion in Multi-Ethnic Societies in Europe from c. 1000 to the Present, 3), 64.

⁷ Cf. notes 2, 6, and 20. The Jewish population of the Kingdom of Poland in the Middle Ages and early modern times has always been and still remains of interest to many scholars. Research into Jewish communities of Kraków, Lviv, Poznań, Przemysł, and Lublin has recently been discussed by: Hanna Węgrzynek, 'Agreements between Towns and Kahals and their Impact on the Legal Status of Polish Jews', in Antony Polonsky, Hanna Węgrzynek, and Andrzej Żbikowski (eds), *New Directions in the History of the Jews in the Polish Lands* (Boston, 2018), 220–1. Cf. also Grzegorz Myśliwski, 'Between Coexistence and Persecution. Economic Activity and the Cohesion of Multi-Ethnic Societies in Cities of the Polish Territories (between the Thirteenth and the First Part of the Sixteenth Century)', in Przemysław Wiszewski (ed.), *Inter-Ethnic Relations and the Functioning of Multi-Ethnic Societies Cohesion in Multi-Ethnic Societies in Europe from c. 1000 to the Present* (Tournhout, 2023: Cohesion in Multi-Ethnic Societies in Europe from c. 1000 to the Present, 2), 159–207.

Warsaw's Christian residents from the Jewish ones has been stressed on many occasions. It is impossible not to notice religious, legal, and language differences. Despite the significance of the boundaries, it is worth asking: how defined were these divisions, and to what extent did they separate the two communities? Was it possible to break them, and if so, when and under what circumstances? Is it possible to distinguish the contact points and areas for both communities and the tools used to communicate between them? What consequences did the crossing of divisions between the Jewish community and the Christian municipality bring? Did it bring misunderstandings and conflicts and the creation of new divisions?⁸

THE CITY SPACE

Firstly, what needs to be taken notice of is the presence of Jewish property in the space of Old Warsaw. Relationships, legal, social and cultural, between Jewish space and its non-Jewish environment – this question has been present for a long time in research relating various cities and periods. As Jürgen Heyde pointed out, the core of the problem is: “marginality and isolation vs. proximity and contact, exclusion vs. inclusion”.⁹

In Old Warsaw, Jews' houses were located along Jewish Street [*platea Judeorum*], a small street in the northwestern part of the town. The

⁸ Adam Teller and Magda Teter, 'Introduction. Borders and Boundaries in the Historiography of the Jews in the Polish-Lithuanian Commonwealth', in Adam Teller, Magda Teter, and Anthony Polonsky (eds), *Social and Cultural Boundaries in Pre-Modern Poland* (Oxford, 2010: Polin: Studies in Polish Jewry, 22), 3–46 (here an overview of the wide range of literature on the subject). Cf. Derek Keene, 'Introduction: Segregation, Zoning and Assimilation in Medieval Towns', in Derek Keene, Balázs Nagy, and Katalin Szende (eds), *Segregation – Integration–Assimilation. Religious and Ethnic Groups in the Medieval Towns of Central and Eastern Europe* (London, 2009), 1–14, and other chapters in this book.

⁹ Jürgen Heyde, 'Making Sense of 'the Ghetto'. Conceptualizing a Jewish Space from Early Modern Times to the Present', in Alina Gromowa, Felix Heinert, and Sebastian Voigt (eds), *Jewish and non-Jewish Spaces in the Urban Context* (Berlin, 2015), 61. The methodological approaches to the study of Jewish space in historical, sociological, and architectural practices were recently presented in Maria Cieśla and Ruth Leiserowitz (eds), 'Space' as a Category for the Research of the History of Jews in Poland-Lithuania 1500–1900 (Wiesbaden, 2023), 40; see the review of this volume in this issue of APH.

synagogue, the school, and the Jewish bath were located here.¹⁰ Was *platea Judeorum* a distinct enclave in the perception of Warsaw town-folk? Taking into consideration the fact that there was a synagogue at the street exit, this fragment of the street may have constituted a specific border in the social imagination, the crossing of which indicated contact with the other: the Jew for the non-Jew, and the non-Jew for the Jew. It should be remembered that Jewish streets, which existed in many towns, were not ghettos inhabited exclusively by Jews.¹¹ Also, in Warsaw, burghers owned individual houses on Jewish Street. The statements in the city's official records concerning the ownership of these buildings prove that non-Jews' presence was not accidental or ephemeral.¹² However, it should be stressed that the first mentions of the presence of non-Jews in the *platea Judeorum* date back to the late 1430s and until the early 1480s, the sources referred to only three houses. As Emanuel Ringelblum pointed out, non-Jews' property began to increase only between 1483 and 1486.¹³ Not only Old Warsaw was a place of contact between Jews and non-Jews. No formal obstacles prevented Jews from living in other parts of the town within New Warsaw¹⁴ or in the suburbs, and there were some Jews

¹⁰ Fijałkowski, 'Trudne początki', 385; Ringelblum, *Żydzi*, i, 114. Krzysztof Mrozowski recently made some corrections to the course of *platea Judeorum*, *id.*, *Przestrzeń*, 58–66.

¹¹ Zaremska, *Żydzi*, 343–52; *ead.*, 'Jews', 159; *ead.*, 'Jewish Street (Platea Judeorum) in Cracow: the 14th–the First Half of the 15th C.', *Acta Poloniae Historica*, 83 (2001), 27–57; Jacek Wiesiołowski, *Socjotopografia późnośredniowiecznego Poznania* (Poznań, 1997: The Poznań Society for the Advancement of the Arts and Sciences. Reprints, 4), 179–81; Andrzej Janeczek, 'Ulice etniczne w miastach Rusi Czerwonej w XIV–XVI wieku', *Kwartalnik Historii Kultury Materialnej*, xlvii, 1/2 (1999), 145; Mateusz Goliński, 'Ulica Żydowska we Wrocławiu do początków XV w. (cz. 2)', *Śląski Kwartalnik Historyczny Sobótka*, lxxvi, 2 (2012), 19–38.

¹² Stefan Ehrenkretz (ed.), *Księgi ławnicze miasta Starej Warszawy z XV wieku, Księga nr 525 z lat 1427–1453* (Warszawa, 1916) (hereinafter: KŁ I), nos. 417 (1437), 470 (1438); Agnieszka Bartoszewicz (ed.), *Księgi ławnicze Starej Warszawy 1453–1535* (Warszawa, 2020) (hereinafter: KŁ II), nos. 516 (1460); Adam Wolff (ed.), *Księga radziecka miasta Starej Warszawy, i: 1447–1527* (Wrocław, 1963), no. 271 (1495); Ringelblum, *Żydzi*, i, 115.

¹³ Ringelblum, *Żydzi*, i, 115–6.

¹⁴ Łozowski, *Kredyt*, 328. References to the property of the Jews in New Warsaw: Adam Wolff (ed.), *Księga ławnicza miasta Nowej Warszawy, i: 1416–1485* (Wrocław, 1960), nos. 74 (1426), 422 (1457), 595 (1463), 657 (1465), 922, 938 (1481).

who took this opportunity, though not many.¹⁵ It also needs to be remembered that the Jewish cemetery was located close to the town area, outside of the city walls, in the southern suburbia.¹⁶

The importance of close neighbouring contacts between Jews and non-Jews, particularly visible in larger cities (Poznań, Cracow), is highlighted by Jürgen Heyde.¹⁷ Of course, spatial coexistence can be a factor that antagonises the two communities. The dynamic development of Warsaw during the fifteenth century resulted from the lack of space within the city. Therefore, since the 1430s, the burghers have engaged in efforts to expel the Jews from the inner city, and from the 1480s on, the results of their activities were clearly visible.¹⁸ However, the name of the Jewish street survived in the town books of Old Warsaw (and the memories of the city's inhabitants) until 1570.¹⁹

THE NETWORK OF INTERNATIONAL ECONOMIC RELATIONS

Jewish participation in the economic life of Warsaw and Mazovia has been well-researched.²⁰ Credit, which was the core of Jewish activity in a Christian environment²¹ and trade of various kinds, involved

¹⁵ Katalin Szende has pointed out that Jews had always preferred to reside in the walled centres of towns, see *ead.*, 'Neighbourhoods, Suburbs and Ethnic Quarters in the Hungarian Towns, Thirteenth to Fifteenth Centuries', in Phillip Robinson Rössner (ed.), *Cities – Coins – Commerce. Essays Presented to Ian Blanchard on the Occasion of His 70th Birthday* (Stuttgart, 2012: Studien zur Gewerbe- und Handelsgeschichte der vorindustriellen Zeit, 31), 64.

¹⁶ Ringelblum, *Żydzi*, i, 114.

¹⁷ Jürgen Heyde, 'Relations between Jews and Non-Jews in the Polish-Lithuanian Commonwealth: Perceptions and Practices' in Polonsky, Węgrzynek, and Żbikowski (eds), *New Directions*, 202.

¹⁸ Mrozowski, *Przestrzeń*, 58–66.

¹⁹ *Ibid.*, 66.

²⁰ Adam Rutkowski, 'Kredyt żydowski na rynku lokalnym Warszawy w pierwszej połowie XV wieku', *Przegląd Historyczny*, lxx, 2 (1979), 267–84. Recently Łozowski, *Kredyt*, 136–9. Cf. Jacek Wijaczka, 'The Role and Significance of the Jews in the Economy of the Polish-Lithuanian Commonwealth: The State of Research and Research Directions', in Polonsky, Węgrzynek, and Żbikowski (eds), *New Directions*, 213–54.

²¹ Mateusz Goliński, *Wrocławskie spisy zastawów, długów i mienia żydowskiego z 1453 roku. Studium z historii kredytu i kultury materialnej* (Wrocław, 2006), 23; *id.*, 'Cities in the Face of Disasters to Jewish Communities – a Draft of the Problem in the

not only Warsaw Jews but also their co-religionists from different towns in Mazovia and further away, including towns in the Kingdom of Poland or the Grand Duchy of Lithuania.²² It is worth paying particular attention to the Jews coming from Brest-Litovsk, Grodno and Lutsk in Volhynia, who traded grains, wood, tar, baize, etc. In the first half of the fifteenth century, Warsaw was a significant stop on the trading routes from the East to Hanseatic Danzig on the one hand and Silesia on the other. It was a meeting point for the Jewish merchants and their Prussian and Silesian partners, as well as members of the gentry involved in trade and townfolk from the whole of Mazovia.²³ In these transactions, Warsaw patricians were engaged as contractors or intermediaries. Therefore, mentions of transactions made by Lithuanian or Ruthenian Jews appear regularly in the municipal books.²⁴ The name of 'the Jewish Brest' [*Brzeszcz Iudaicus*], meaning Brest-Litovsk,²⁵ used by the scribes in a symptomatic manner, instead of *Ruthenicus Brzeszcz* points to the perception of this town by the inhabitants of Warsaw. In analysing the mentions of the transactions made with the visitors from Brest-Litovsk, it is worth paying attention to the relatively equal status of the town inhabitants, both Christians and Jews. The local writers described the latter under their names, surnames, and places of origin. Their religion or ethnicity is indicated by the term *Judeus*, e.g. *Schanko Judeus de Brest Ruthenico*, *Michael Rabiczko Judeus de Luczko vel de Brzeszcze*.²⁶ In the fifteenth century, the derogatory terms *perfidus* or *infidelis* appear very rarely with names of Jews from Lithuania,²⁷ while in, for example, Cracow, such terms were the norm for the same period.²⁸

Late Middle Ages' *Quaestiones Medii Aevii Novae* XXVI (2021), 317–20; Zaremska, 'Jews', 157; Myśliwski, 'Between Coexistence and Persecution', 176–88.

²² Ringelblum, *Żydzi*, i, 63–70; Zaremska, *Żydzi*, 203–8.

²³ Zaremska, *Żydzi*, 203–208.

²⁴ KŁ I, nos. 99 (1429), 214 (1433), 416 (1437), 586, 588 (1440), 618, 619, 654, 661 (1441), 670, 672, 675, 704 (1442), 743, 769 (1443), 776 (1444), 951 (1446); KŁ II, nos. 312, 357 (1458), 443 (1459), 1198 (1468), 1964 (1505).

²⁵ KŁ I, no. 214 (1433).

²⁶ KŁ I, no. 99 (1429); KŁ II, no. 1964 (1505). Cf. Bartoszewicz, 'Inclusion', 68.

²⁷ In records that concern conflicts, lawsuits, and court verdicts in cases between citizens and Jews: KŁ II, nos. 282 (1457), 1198 (1468).

²⁸ Bożena Wyrozumska (ed.), *Żydzi w średniowiecznym Krakowie. Wypisy źródłowe z ksiąg miejskich krakowskich. The Jews in Medieval Cracow. Selected records from Cracow Municipal Books* (Kraków, 1995).

WARSAW COURT FOR NOBLES AND BREAKING
LANGUAGE BARRIERS

The information on trade between Warsaw residents with Lithuanian and Volhynian Jews is taken from references included in the bench books of Old Warsaw. Local Jews also appeared in the Warsaw Town Hall, in the bench court,²⁹ while registers of council offices recorded the presence of Jews only accidentally.³⁰ The number of references to agreements and conflicts between Jews and non-Jews in the municipal records of Old Warsaw is relatively low, considering that “trust in writing was a major factor in facilitating and regulating Jewish-Christian relationships in everyday matters”.³¹ The most important place for official meetings between Jews and non-Jews was the court for nobles [*iudicium terrestre et castrense*].³² In the fifteenth century, the Jews were a significant group of non-gentry clients for this office; however, their number was decreasing. For example, in 1457, of the 507 notes included in the Warsaw books of the noble institutions, 28 regarded Jews (5.5 per cent).³³ In 1463, the numbers were 314 and 15; it appears that Jews consistently constituted almost 5 per cent of the court’s clients.³⁴

²⁹ KŁ I, nos. 57 (*Alexander Judeus*, 1428), 443 (*Smolka Judeus*, 1438); KŁ II, nos. 35 (*Judeus Joseph*, 1454), 145 (*Judea Parla*, 1456), 269 (*Judeus Josko*, 1457), 1253 (*Mucha Judeus*, 1468), 1618, 1623, 1633, 1640, 1646 (*Judea Abrahamowa*, 1498), 1632, 1634, 1647, 3203, 3205 (*Judea Jonassowa*, 1498, 1521), 1638, 1639, 1645 (*Judeus Joseph*, 1498), 2680 (*David Judeus*, 1515), 3868, 3870 (*Judeus Moyses*, 1529), 3869 (*Judeus Israel*, 1529), 3901 (*Judei Lazarus et Moyses*, 1530).

³⁰ In the registers of 1447–1527, there was only one note mentioning the Jewish client of the council offices, see Wolff (ed.), *Księga radziecka*, no. 1283 (Joachim, a Jew from Brest-Litovsk, 1518).

³¹ Katalin Szende, *Trust, Authority, and the Written Word in the Royal Towns of Medieval Hungary* (Turnhout, 2018: Utrecht Studies in Medieval Literacy, 41), 279. All scholars agree that the written word played an important role in Jewish society. Jewish literacy also developed in Poland and Lithuania, Aryeh Grabois, ‘The Use of Letters as a Communication Medium Among Medieval European Jewish Communities’, in Sophia Menache (ed.), *Communication in the Jewish Diaspora: The Pre-Modern World* (Leiden, 1996), 93–105. On the role of the Jewish-Christian agreements in the Polish cities: Węgrzynek, ‘Agreements’, 221–2 (see earlier literature on the subject).

³² More Zaremska, *Żydzi*, 30–5, 252–5, 295–6.

³³ Archiwum Główne Akt Dawnych [Central Archives of Historical Records], Warsaw, Terrestria et castriensia Varsaviensia (hereinafter: Terrestria), file no. 1/19/0/1/3, 179–312 and 1/19/0/1/4, 71–96.

³⁴ *Ibid.*, file no. 1/19/0/1/3, 928–1025.

At the turn of the fifteenth and sixteenth centuries, there were no Jewish clients of the Warsaw court for nobles.³⁵

This state of affairs was a result of the binding legal jurisdiction that the Mazovian dukes had over the Jews. In practice, it meant that the Warsaw court for nobles supervised the Mazovian Jewish communities. This led to the need for cooperation in the fields of law and administration between noble or duke officials and representatives of the Jewish community. From the 1420s, extant sources mention the existence of a Jewish court, which consisted of the duke's representatives and the Jewish assessors.³⁶ For example, in 1428, the Jewish court included a judge of the nobility court and his deputy, as well as two Jews, David and Alexander.³⁷

Regarding the development of cooperation (harmonious or otherwise) between the duke's representatives and the elites of the Warsaw Jewish community, conclusions may be drawn based only on indirect mentions. Jewish court proceedings were placed in books described as *libri* or *registri Judeorum*.³⁸ Unfortunately, none of these registers have survived. Still, one source which gives some idea of its contents is the mentions in the records of the Warsaw noble court. These books referenced earlier entries in the Jewish book and sometimes quoted them in entirety. The mentions in the court records are laconic and random by nature, and one cannot always interpret them directly. Still, it is clear that mentions in Warsaw's *liber Judeorum* discussed both disputes between Warsaw Jews and transactions made between Jews and non-Jews.³⁹ The dual nature of the records needs to be regarded

³⁵ Data from 1494 and 1510, *Ibid.*, file no. 1/19/0/1/4 and file no. 1/19/0/1/10. In the fifteenth and early sixteenth centuries, the burghers of Old Warsaw and other cities represented about 3 per cent of the customers of the noble courts.

³⁶ Ringelblum, *Żydzi*, i, 51–3.

³⁷ *Ibid.*, 51.

³⁸ *Ibid.*, 80; Zaremska, *Żydzi*, 30–5.

³⁹ *Rescriptum de libro Judeorum* and *Aliud rescriptum de libro Judeorum*, *Terrestria*, file no. 1/19/0/1/2, 325–326 (1434 r.). Analogous notes: *Terrestria*, file no. 1/19/0/1/2, 458, 473 (1436), 535 (1437), 625 (1438), 911 (1445); and *ibid.*, file no. 1/19/0/1/3, 184 (1457). The content of the Jewish register is different from the one kept in Wiener Neustadt, because it is the register of Jewish real estate transactions. Martha Keil 'Der Liber Judeorum von Wiener Neustadt (1453–1500) – Edition', in Marta Keil and Klaus Lohrmann (eds), *Studien zur Geschichte der Juden in Österreich* (Wien–Köln, 1994), 41–99.

as proof of the simultaneous existence of both books – the records of the noble court and the Jewish book – and of their complementary character. A declaration recorded in the registry of the noble court, where Chana, widow of David from Warsaw, passes on all of her debt *in libris tam Judeorum quam terrestrium* to her second husband, Jacob, confirms this theory.⁴⁰

A collection of approximately seventy entries in Hebrew contained in the records of the noble court, dating to between 1423 and 1437, offers interesting proof of the crossing of linguistic barriers between the two communities. According to Hanna Zaremska, in the medieval Ashkenazi diaspora, the Hebrew language functioned similarly to Latin in the Christian community: it was the language of religion, culture, and writing.⁴¹ The Hebrew notes recorded in the Warsaw court proceedings consist of single words, sometimes of short phrases. They do, however, confirm the respect (albeit limited) of the region's majority population towards the laws and feelings of the Jewish minority. In supporting their co-believers during the official proceedings, the Jewish community representatives not only had insight into the gentry office's books but also facilitated the use of headings made in Hebrew. As the analogous notes in Latin, the Hebrew ones informed about the contractors' origins and provided their names.⁴² In one case, a note gave the date of a transaction according to the Jewish calendar; another recorded the content of a court decision.⁴³ Therefore, these prove that the court official shared his duties with the Jewish judges; he allowed them to supplement his official records. This fact suggests a high level of trust between them. For Jews, it was undoubtedly a means of expressing their own identity due to the act of inscribing Hebrew words and Hebrew letters using their own alphabet.

⁴⁰ Terrestria, file no. 1/19/0/1/2, 95 (1432). Analogous note (*iuxta librum iudiciale et Judeorum*): Terrestria, file no. 1/19/0/1/2, 984 (1446).

⁴¹ Zaremska, *Żydzi*, 23–38.

⁴² A comparison of the headers in Latin and Hebrew in the court records shows the difference in the way the two scribes, Jewish and non-Jewish, wrote the names of Jewish clients, e.g. Victor/Awigdor, Lazarus/Ezra, Izak/Icchok; see: Ringelblum, *Żydzi*, i, 121.

⁴³ Ringelblum, *Żydzi*, i, 120; Zaremska, *Żydzi*, 31.

THE LANGUAGES OF EVERYDAY COMMUNICATION

In this context, it is worth examining the communication languages between Jews and their Christian neighbours and business partners. Most of the inhabitants of both towns of Warsaw used Polish, as did the inhabitants of nearby villages, the gentry, and the peasants. The patrician families of Old Warsaw offer an exception to this rule: at least until the 1460s, their native language was German. The official language of the chancery of the court for nobles was Latin, while urban chanceries used Latin and sometimes German.⁴⁴ As mentioned above, the Jewish community used Hebrew for religion and writing. For everyday communication in the Polish territories, Jews used Yiddish, which demonstrates partial similarities with German.⁴⁵ Because German was the language of trade in this part of Europe, Jews from Lithuania and Volhynia could communicate and make written agreements with their business partners.⁴⁶ This fact is confirmed in sources, for example, a copy of the mortgage issued in German by Schenke, a Jew from Brest-Litovsk, for Niclos Wingeldorff from Gdansk.⁴⁷

An interesting trace of the crossing of the linguistic barriers is the note written down in 1463 in the register of the court for nobles concerning the ownership of a house on the Jewish street [*platea Judeorum*]. The scribe informed that a Jewish woman [in original: “Judea”] named Rachel submitted a “Jewish charter” to claim the property [“*produxit litteram Judaicam super eandem domum*”].⁴⁸ The judges pronounced a verdict in favour of Rachel “after reading and hearing the document” [“*exaudita littera et interlecta*”]. How to interpret the note? What does *littera Judaica* mean? Was the charter

⁴⁴ Bartoszewicz, ‘Inclusion’, 66.

⁴⁵ Zaremska, *Żydzi*, 40.

⁴⁶ Grzegorz Myśliwski, ‘Relacje językowe w handlu dalekosiężnym Europy Środkowo-Wschodniej (do końca XV w.). Zarys zagadnienia’, in Martin Čapský *et al.* (eds), *Komunikace ve středověkých městech* (Opava, 2014), 53–80. Cf. Cornelia Aust, ‘Transfer of Credit, Mercantile Mobility, and Language among Jewish Merchants in Seventeenth and Eighteenth Century Central and East Central Europe’, in Stefania Gialdroni, Albrecht Cordes, Serge Dauchy, Dave De ruyscher, and Heikki Pihlajamäki (eds), *Migrating Words, Migrating Merchants, Migrating Law. Trading Routes and the Development of Commercial Law* (Leiden, 2020: Legal History Library, 34), 232–59.

⁴⁷ KŁ I, no. 618 (1441). Cf. Bartoszewicz, ‘Inclusion’, 68.

⁴⁸ *Terrestria*, file no. 1/19/0/1/2, 945.

recorded in Hebrew or in Yiddish? There are many questions without a decisive answer. However, these references prove the existence of a document issued by Jewish institutions as evidence in the proceedings of the Warsaw court for nobles.⁴⁹

However, most of the mentions concerning the cases in which the Jews were a part of judicial proceedings were made in Latin. The Jewish community elite was definitely familiar with this language to the same extent as landed noble officials or Old Warsaw councillors. It was the primary language of writing, office ledger notes, and documents the Jews owned and presented as evidence in legal proceedings.⁵⁰ In oral communication, Latin also needed to be used, mainly as the language of official formulas, judicial verdicts, etc. However, Polish was the most well-known language for officials and customers of the noble court and also a language used in official procedures, first of all, oaths.⁵¹ According to Hanna Zaremska, the Polish language, with various accretions, was the language of everyday use for Polish Jews, alongside Yiddish.⁵² Furthermore, they had to be familiar with Polish as court customers.⁵³ Polish was also the language used by the counterparties in numerous loan transactions. The mentions in official books concerning the goods left in lien with the Jews confirm this fact. These records contain numerous words in Polish, including the names of the items left as deposits for the loans.⁵⁴

Those for whom legal and language issues presented an unbreakable barrier could use a proxy [*prolocutor*]. In the researched period, the

⁴⁹ Discussion of the problem of the translation of the Hebrew charter into Latin and German in the urban chancery of Cracow: Marcin Starzyński, 'Najstarszy dokument hebrajski na ziemiach polskich (1485) i jego tłumaczenia', *Roczniki Historyczne*, lxxxiii (2017), 187–202.

⁵⁰ Wyrozumska (ed.), *Żydzi*, nos. 88, 90 (1382), 251 (1421), 855 (1493); Bartoszewicz, 'Inclusion', 69.

⁵¹ Adam Wolff, *Zapiski i roty polskie XV i XVI wieku z ksiąg sądowych ziemi warszawskiej* (Kraków, 1950), *passim*.

⁵² Zaremska, *Żydzi*, 40. Similar opinion: Heyde, 'Relations', 209.

⁵³ The text of oath in Polish, taken by a Jew Issac: Terrestria, file no. 1/19/0/1/2, 575 (1437).

⁵⁴ E.g. *tunica nove barwyte*, Terrestria, file no. 1/19/0/1/2, 849 (1444); *tunica jezdzcza nagra*, Terrestria, file no. 1/19/0/1/3, 79 (1456); *lethnyk de harasz*, Terrestria, file no. 1/19/0/1/3, 944 (1463); *tunica bramowano gronostaymi*, Terrestria, file no. 1/19/0/1/3, 1009 (1463); *tunica subducta tchorze*, Terrestria, file no. 1/19/0/1/3, 1071 (1464).

institution of representation was very popular: the burghers and the gentry often established plenipotentiaries for various reasons. In Warsaw, *loca scribendi* registers preserve few mentions regarding proxies representing the Jews at court. In the case of the noble courts, it is most likely related to the presence of the Jewish assessors during its proceedings. However, some Jews, often from other cities, who arrived in Warsaw needed the help of a proxy. The most important thing is that the procurators were Jews.⁵⁵ It also seems that even during municipal court proceedings, Jews did not feel the need to use legal aid, especially in the fifteenth century. In the municipal records of Old Warsaw, all mentions of Jews employing plenipotentiaries date to a relatively late period. For example, a mention from 1503 informs that Moyses from the small Mazovian town of Sochaczew granted powers of attorney to Martin, a professional lawyer [*prolocutor*] to represent him in a municipal court.⁵⁶ That year, a year of serious tensions between Jews and Warsaw burghers, Moyses of Sochaczew defended his rights to certain goods before the officials of Old Warsaw with the aid of Martin. These goods were previously in possession of Israel, a Jew who had been killed on a public road. Given the character of the case and the already open animosity of the officials of Old Warsaw toward the Jews, a non-Jewish *prolocutor* like Martin could have been necessary.

SOCIAL RELATIONS

It is not known whether contacts between Warsaw patricians and their Jewish trade partners were restricted to economic issues. However, the books of the Czersk land (neighbouring Warsaw) provide mention of socializing in the notes from the beginning of the fourteenth century: a Warsaw Jew and a local nobleman played dice together. It is difficult to say whether this was part of the norm, or rather an exception

⁵⁵ "Oszman Judeus de Wissegrad [Wyszogród, small town in Mazovia] constituit in suum procuratorem Alexandrum Judeum Warschoviensem...", Terrestria, file no. 1/19/0/2, 197 (1433). By the way, Alexander was the Jewish assessor in the court for the nobles (Ringelblum, *Zydzi*, i, 51). Analogous notes: Terrestria, file no. 1/19/0/1/2, 341 (1434), 889 (1445), 1244 (1450), 1258, 1267 (1451), 1333 (1452); *ibid.*, file no. 1/19/0/1/3, 83 (1456), 1084 (1464).

⁵⁶ K II, no. 1900.

from it.⁵⁷ A little indication is a reference to witnesses of the sale of a horse between two Jews of Warsaw, Oszwa and Abraham. The names of the witnesses [*mercipotarii*] *Martinus* and *Dominicus* indicate their non-Jewish ethnic origin. With regard to the fact that the common drink [*mercipotum*, Pol. *litkup*] was part of a purchase act, one can guess the close relationship in the social base.⁵⁸

It is worth noting that the municipal records of New Warsaw contain a mention of the adoption of the city law by a Jew. In 1482, a Jew named Jonas became a citizen of New Warsaw.⁵⁹ This must have been linked to his baptism, but when Jonas bought a house in New Warsaw a year earlier, he was described by the scribe as *perfidus Judeus*.⁶⁰ We do not know how the relations between Jonas and his non-Jewish surroundings progressed. However, his assimilation appears to have been a long and not very effective process. It is interesting to note that almost 40 years later, in 1521, the records of the Old Warsaw court mention a Jewish woman named Jonassowa [*Judea Jonassowa civis Varschoviensis*].⁶¹

GROWING BARRIERS

Despite the vivid contacts and the presence of Hebrew in official documents, it is hard to perceive the relations between the Jewish and Christian communities of Warsaw as optimistic. First, annotations in Hebrew were only made for fifteen years, and only for two years always in the cases where the sides were the Jews: in 1432 and 1433.⁶² Therefore, this situation was unusual, possibly forced on the noble officials by the duke. All notes with Hebrew annotations were recorded during the reign of Duke Janusz I (1346–1429), who regarded the Jews favourably,⁶³ or during the regency of his successor's

⁵⁷ Zaremska, *Żydzi*, 324; *ead.*, 'Jews', 159–60.

⁵⁸ *Terrestria*, file no. 1/19/0/1/3, 1134 (1465). More about ceremonious drinking in the company of witnesses to the sale transaction made see Christopher McNall, 'Litkup in the Rural Court Books of Old-Time Poland', *Czasopismo Prawno-Historyczne*, xlix, 1/2 (1997), 11–25.

⁵⁹ Ewa Koczorowska-Pielińska, 'Przyjęcia do prawa miejskiego Miasta Nowej Warszawy w latach 1477–1525', *Rocznik Warszawski*, ix (1969), 267.

⁶⁰ Wolff (ed.), *Księga ławnicza miasta Nowej Warszawy*, no. 938.

⁶¹ KŁ II, no. 3203.

⁶² Ringelblum, *Żydzi*, i, 120.

⁶³ *Ibid.*, 10–1.

minority.⁶⁴ Can the disappearance of the Hebrew language in Warsaw registers of the noble court be connected with the beginning of the independent rule of Boleslaw IV in 1436? It is difficult to decide for sure, however, the further fate of the Jewish community in Warsaw proves that the protection of a sovereign was of crucial importance for the relationships between both communities.⁶⁵

Furthermore, analysis of the notes of the noble office shows that at all times the officials treated Jews as a separate, distinct group of the court clients. The records of subsequent court proceedings show that the *cause Judeorum* was processed at the end. Often, the clerk processed this group of records last on any given day.⁶⁶ This manner of procedure forced Jews to wait, at best, a troublesome and, at work, possibly humiliating fate. In 1427 the court punished Sprynca, a Jewish woman, for sitting on the furnace while waiting for her turn in the court [“sedit super fornacem contra interdictionem dominorum”].⁶⁷ The fine was not high, but it demonstrates the difficulties of Jews’ frequently long days at court.

From the beginning of the second half of the fifteenth century, the barriers dividing Warsaw citizens and the Jewish community became more and more visible. At the same time, there were fewer possibilities to break them. The incorporation of Gdansk Pomerania resulted in a change in trade routes used by Jewish merchants from Lithuania and in the radical reduction in the number of travelers from Brest-Litovsk in Warsaw.⁶⁸ The Warsaw patriciate began to perceive Jewish merchants as competition; the scarcer the sovereign’s support and favour for the Jews, the easier it was to compete. On multiple occasions in the second half of the fifteenth century, as mentioned in sources, the dukes of Mazovia increased their debt to Warsaw burghers, becoming, at the same time, protectors of their

⁶⁴ Kazimierz Jasiński, *Rodowód Piastów mazowieckich* (Poznań–Wrocław, 1998), 102–3.

⁶⁵ Ringelblum, *Żydzi*, i, 11–33.

⁶⁶ Terrestria, file no. 1/19/0/2, 190 (notes on the Jewish people are the last four at the hearing of the courts, 1433). Analogous cases e.g. Terrestria, file no. 1/19/0/2, 148 (1432), 201 (1433), 249, 261 (1434), 1244 (1450), 1258 (1451); *ibid.*, file no. 1/19/0/2, 77–8 (1456), 205, 242 (1457), 553, 582–3 (1459).

⁶⁷ Ringelblum, *Żydzi*, i, 134.

⁶⁸ *Ibid.*, 64; Samuel Echt, *Die Geschichte der Juden in Danzig* (Leer [Ostfriesland], 1972), 14.

trade interests. Furthermore, the first disappearance of Jews from court records in Warsaw dates to around 1454. Perhaps it was influenced by the attitude toward Jews espoused by Regent Duchess Anna. Fascinated with John of Capistrano and his anti-Jewish speeches, she invited the Franciscan Observants to Warsaw. John of Capistrano, a famous preacher and Franciscan reformer, and his grand visit to Central and Eastern Europe in 1451–6 was associated with the trials of the Jews of Breslau and the repression of Jews from other towns of Silesia.⁶⁹ The convent of Franciscan Observants established in Warsaw in 1454 was their second seat in Polish territories, while the first was founded in Cracow in September 1453.⁷⁰

The second half of the fifteenth century and the beginning of the sixteenth century, therefore, brought about a growing estrangement between the two communities. Jews were being removed from urban and suburban spaces, and their properties fell into the hands of burghers; to name one example, the area of the Jewish cemetery was passed to the parish church of St. John. Contacts between the gentry, the burghers, and the Jews did not stop. However, crossing the boundaries between the three groups became more and more difficult. In 1457, for the first time, the derogatory term *perfidus* appeared in the municipal registers alongside the name of a Jew.⁷¹ Gradually, it became commonplace, not only in municipal records but also in registries of the noble court.⁷² Furthermore, in the sixteenth century, the term “some Jew” or simply

⁶⁹ Hanna Zaremska, ‘John of Capistrano and the Trial of Wrocław Jews’, in: Paweł Kras and James D. Mixson (eds), *The Grand Tour of John of Capistrano and Eastern Europe (1451–1456). Transfer of Ideas and Strategies of Communication in the Late Middle Ages* (Warsaw–Lublin, 2018), 149–50.

⁷⁰ In February 1454, Duchess Anna met with John of Capistrano in Cracow, and two of her letters to the Franciscan reformer survived. Paweł Kras, ‘John of Capistrano and the Cracow Brethren’, in Kras and Mixson (eds), *The Grand Tour*, 306. For more about the foundation of the Bernardine church of St Anne in Warsaw, see: Julia Burkhardt, ‘Friars and Princesses in Late Medieval Poland. Encounters, Interactions and Agency’, in Nikolas Jaspert and Imke Just (eds), *Queens, Princesses and Mendicants. Close Relations in a European Perspective* (Münster, 2019: Vita regularis. Ordnungen und Deutungen religiösen Lebens im Mittelalter. Abhandlungen, 75), 257–9.

⁷¹ KŁ II, no. 282.

⁷² Terrestria, file no. 1/19/0/1/3, 542 (1459), 968 (1463), 1084 (1464), 1103, 1125, 1134, 1144, 1145, 1149 (1465); *ibid.*, file no. 1/19/0/1/4, 161 (1468), 367–368 (1470).

“a Jew”, with no name recorded, began to appear more often, which can be interpreted as a demonstration of scorn and contempt – and also, as a sign that one side of the case was being considered as less important by the court.⁷³

Already in the late 1450s, references to the office of the Jewish judge and his Jewish assessors became rare, and agreements and disputes between Jews were handled by the noble court.⁷⁴ Then, the lack of mentions of *liber Judeorum* after the late 1460s further proves the restrictions on the role and the autonomy of the Jewish commune. Moreover, Jews are increasingly accused, especially of stealing and obtaining stolen goods.⁷⁵

Anti-Jewish incidents were connected with the growing isolation of the Jewish community. Warsaw Jews found themselves in an increasingly difficult situation, in an atmosphere of aversion, exacerbated by subsequent decrees where the duke increased the difficulty in running the community.⁷⁶ Breaking the barriers between both communities was an exception, and it is difficult to say how often it occurred. Certainly, even at the end of the fifteenth and early sixteenth century, one can find mentions of Jews accepted and respected by their Christian surroundings. Titles (i.e. notes indicating the legal status of a person) typically given to burghers were sometimes given to single members of the Jewish community, offering traces of some positive interaction, e.g., *circumspectus* or *providus*.⁷⁷ Proof of trust and cooperation can be found among members of the gentry and burghers who acted as guarantors for the Jews for different economic transactions or who represented their interests at courts.⁷⁸ The most spectacular example of good relations, or even of friendship, can be found in the assistance

⁷³ E.g. *cingulum cuiusdam Judei*, KŁ II, no. 2683 (1515); see also KŁ II, nos. 3845 (1529), 3975 (1531).

⁷⁴ *Terrestria*, file no. 1/19/0/1/3, 207, 241, 244, 280, 310, 315 (1457), 611 (1460), 945 (1463); *ibid.*, file no. 1/19/0/1/4, 367–368 (1470).

⁷⁵ *Terrestria*, file no. 1/19/0/1/3, 582–3, 589 (1459), 899 (1462). Cf. Zaremska, *Żydzi*, 234–5.

⁷⁶ In 1469, Duke Konrad III passed a decree regulating Jewish prerogatives within the judicial system, including a prohibition of appeals to foreign rabbis. Ringelblum, *Żydzi*, i, 47–51, 140–1; Zaremska, *Żydzi*, 323–4; *ead.*, ‘Jews’, 142–3.

⁷⁷ *Terrestria*, file no. 1/19/0/1/3, 945 (1463); KŁ II, no. 4016 (1531); Ringelblum, *Żydzi*, i, 28–33.

⁷⁸ Ringelblum, *Żydzi*, i, 131.

given to Moyses the tax collector and his family by two Warsaw burghers when his house being under attack for two days in 1529.⁷⁹

* * *

The first half of the fifteenth century was a unique period when there was far-reaching agreement between the Christian inhabitants of Warsaw and its surroundings and the members of the local Jewish community. Within the linguistic area, the communication tools were Polish and German, while Latin, possibly familiar to some Jews, was not a significant communication barrier. Hebrew also had its position in the bureaucratic system. The protection of the local duke secured a relatively harmonious economic cooperation, which was fostered by the then economic situation of Mazovia. The mid-fifteenth century brought a violent turn, which was influenced by the changes in the political and economic situation, as well as the religious atmosphere. Warsaw burghers started to perceive the Jews as competition, as others and began to approach them with growing hostility.⁸⁰ Mutual contact and the breaking of barriers became more and more rare.

transl. Joanna Szwed

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⁷⁹ From 1527 onwards, Moyses had a special royal permit to live in the Old Warsaw area, Ringelblum, *Żydzi*, i, 130–1, 145. Cf. Heyde, 'Relations', 208.

⁸⁰ Ringelblum, *Żydzi*, i, 14–33. One can observe the conflicts between burghers and Jews concerning trade and crafts in numerous towns of early modern Poland and Lithuania: Jakub Goldberg, '*De non tolerandis Judaeis*. On the Introduction of Anti-Jewish Laws into Polish Towns and the Struggle against Them', in Shmuel Yeivin (ed.), *Studies in Jewish History. Presented to Professor Raphael Mahler on his Seventy Fifth Birthday* (Merhavia, 1974), 39–52.

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