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## THE LOCAL DIETS AND RELIGIOUS TOLERANCE IN THE POLISH COMMONWEALTH (1587–1648)

The problem of religious tolerance in the Polish Commonwealth has attracted the attention of historians for a long time. The literature dealing with this problem is so copious that it seems necessary to mention above all those authors who devoted to it larger or particularly valuable studies: A. Brückner, A. Jobert, W. Konopczyński, M. Korolko, J. Lecler, K. Lepszy, Z. Ogonowski, S. Salmonowicz, G. Schramm, J. Siemiński, P. Skwarczyński, W. Sobieski, W. Sobociński, W. Urban, J. Tazbir, T. Wasilewski and H. Wisner.

The attitude of the local diets to religious tolerance was examined to much smaller degree and even then the issue was one of many and, naturally, treated in a marginal fashion<sup>1</sup>. The exception is a work by H. Wisner which pertains to the Lithuanian local diets in the years 1611–1648<sup>2</sup>. In this situation, the examination of the stand taken by the Crown and Lithuanian diets appears to be purposeful, especially considering that the attitude of the gentry towards dissenters was one of the more important aspects of political culture.

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<sup>1</sup> J. Dzięgielewski, *O tolerancję dla zdominowanych. Polityka wyznaniowa Rzeczypospolitej w latach panowania Władysława IV (Tolerance for the Dominated. The Religious Policy of the Commonwealth during the Reign of Ladislas IV)*, Warszawa 1986; W. Dworzaczek, *Skład społeczny wielkopolskiej reprezentacji sejmowej w latach 1572–1655 (The Social Composition of the Sejm Representation from Great Poland in the Years 1572–1655)*, "Roczniki Historyczne", 1957, vol. XXIII; E. Opaliński, *Postawa polityczna szlachty województwa sieradzkiego w latach 1578–1648 (The Political Stand of the Gentry from the Sieradz Voivodship in the Years 1578–1648)*, "Odrodzenie i Reformacja w Polsce", vol. CXXVI, 1981; K. Przyboś, A. Walaszek, *Reprezentacja sejmowa województwa krakowskiego w XVII wieku (The Sejm Representation of the Cracow Voivodship during the Seventeenth Century)*, "Studia Historyczne", XX: 1977, fol.3; W. Śladkowski, *Skład społeczny, wyznaniowy i ideologia sejmiku lubelskiego (The Social-Religious Composition and Ideology of the Lublin Local Diet)*, Lublin 1960, Annales Univ. M. Curie-Skłodowska, vol. 12, Lublin 1957; Z. Rawicka, *Sejmik województwa sandomierskiego w latach 1572–1696 (The Local Diet of the Sandomierz Voivodship in the Years 1572–1696)*, Kielce 1985; W. Urban, *Skład społeczny i ideologia sejmiku krakowskiego w latach 1572–1606 (The Social Composition and Ideology of the Cracow Local Diet in the Years 1572–1606)*, "Przegląd Historyczny", vol. XLIV, 1953, fol. 3; J. Włodarczyk, *Sejmiki łęczyckie (The Łęczyca Local Diets)*, Łódź 1973.

<sup>2</sup> H. Wisner, *Sejmiki litewskie i kwestia wyznaniowa 1611–1648 (The Lithuanian Local Diets and the Religious Issue, 1611–1648)*, "Odrodzenie i Reformacja w Polsce" vol. XXIII, 1978.

The source material base for our deliberations is composed of the instructions and *lauda* issued by the Crown and Lithuanian local diets, with the exception of Royal Prussia and Livonia. It is our conviction that despite their complicated origins, diet acts are a testimony of dominating political tendencies and the system of values observed by the majority. They express the collective will of the gentry gathered at the local diets, regardless of the degree of the political independence of particular sessions, current political configurations or the influence of individual persons. The mechanisms which led to the emergence of given formulations of the diet acts are in this case less significant. At the end of the sixteenth and during the first half of the seventeenth century there was no such situation in the Commonwealth in which it was possible to compel the local diets to opt for attitudes contrary to their opinion. In the democratic system, and this is what we are dealing with during the reign of Sigismund III and Ladislas IV, it was feasible, at best, to retain or hamper certain tendencies but not to impose anything which would have openly contradicted the way of thinking accepted by the whole community.

Sources dating from the end of the sixteenth and the first half of the seventeenth century do not contain expressions of religious tolerance although we come across such formulations as: "Peace *dissidentem in religione*", "Universal peace *inter dissidentes in religione*" or simple "peace". The diets held in Wisznia and Halicz on the eve of the Extraordinary General Sejm of 1613 demanded that "People of the Greek religion remain in a state of peace according to the law"<sup>3</sup>. A similarly worded requirement was presented by the local diet in Żytomierz in December 1618<sup>4</sup>. From the context of the diet instructions and *lauda* it follows unambiguously, that the concept of religious peace was close or even identical with the present-day concept of religious tolerance. What was the practical comprehension of the consequences of "religious peace" guaranteed by the Warsaw Confederation of 1573? It was universally believed that the Warsaw Confederation, in its capacity as part of the common law, ensured religious freedom. It was also stressed that each person "praised God according to his conscience"<sup>5</sup>. This general formulation was not always satisfactory. Such a situation occurred whenever the principles of the Warsaw Confederation were clearly violated. Upon those occasions, mention was made of the safety of Protestant churches, cemeteries and funerals, the right to erect churches on private property, the retention of ministers, the right to a public cult, and to publish works which propagated the principles of the given creed.

When in 1647 Jonasz Szlichting, an outstanding Antitrinitarian author, was summoned to face the Sejm court for having issued a book entitled *Confession*

<sup>3</sup> *Compendium artykułów sejmików koronnych przed sejmem 1613 ekstraordynaryjnym (Compendium of Articles Issued by Crown Local Diets Prior to the 1613 Extraordinary Sejm)*, Kórnik Library, Ms 325, p. 91.

<sup>4</sup> *Arkhiv Yugozapadnoy Rossii (Arkh. Yugozap. Ross.)* part 2, vol. 1, Kiev 1861, p. 119.

<sup>5</sup> An instruction of a local diet in Vilno of 17 August 1611, Library of the Polish Academy of Sciences in Cracow (later on: BPAN Kraków) MS 365, k. 45v.

*of the Faith...*, the diet in Proszowice justified its protest against this decision by declaring that the author who presented the principles of his faith to his co-religionists did not intend to commend them to society as a whole. At the same time, the diet demanded that the royal chancery should not issue similar decrees in the future<sup>6</sup>. Religious tolerance was linked integrally with rights and liberties due to all the gentry on an equal basis<sup>7</sup>. Therefore, the violation of the principles of religious peace affected not only dissenters, but the rights of the Catholic gentry of Płock, who sent their deputies to a convention in Sandomierz with a declaration which requested that steps be undertaken which would guarantee the reform of the Crown laws, enable to retain the liberties of both the clergy and the laymen, and contribute to consolidating peace between adherents of various creeds<sup>8</sup>.

Was religious tolerance restricted only to the gentry, or was it common knowledge that it could be enjoyed also by others? We do not wish to become engaged in a debate on this issue, itself of longstanding tradition. It appears that the opinion of J. Tazbir who limited religious tolerance above all to the gentry, is correct<sup>9</sup>. Nonetheless, its principles, although often not all, at times embraced other estates. This was the way in which the problem was expressed in an instruction of the diets held in Opatów in 1587<sup>10</sup>, Proszowice in 1616 and Łuck in 1622. At the beginning of the seventeenth century, the Cracow gentry called for the introduction of such a situation in towns which would put a halt to unrest and enable members of all estates to safely pursue their own faith<sup>11</sup>. Similar demands were made by the gentry of Volhynia<sup>12</sup>. In 1615 a religious upheaval took place in Cracow, and in 1620 — in Lublin; the mentioned instructions referred directly to those two events.

The number of statements made in defence of the religious freedom of other estates is not large, and it seems worthwhile to cite all which it had been possible to discover. In 1609 the gentry in Poznań protested against the decision made by Andrzej Opaliński, the local bishop, who forbade the construction of a Protestant church in the royal town of Międzyrzecze. His opinion was perceived as a vio-

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<sup>6</sup> *Akta sejmikowe województwa krakowskiego (Local Diet Acts from the Cracow Voivodship)*, vol. II, ed. A. Przyboś, Kraków 1953, p. 334 (later on: *Cracow Acts*).

<sup>7</sup> A speech by Andrzej Moskorzewski at the local diet in Opatów, 31 August 1627, Jagiellonian Library, Ms 166, k. 307–307v.

<sup>8</sup> *Laudum* of a local diet in Raciąż, 14 July 1606, BPAN Cracow, Ms 951, p. 234.

<sup>9</sup> J. Tazbir, *A State without Stakes*, Warszawa 1973, p. 89. T. Wasilewski believes that in Lithuania during the sixteenth and seventeenth century the Warsaw Confederation affected also peasants and towns-people; *idem*, *Tolerancja religijna w Wielkim Księstwie Litewskim w XVI i XVII w. (Religious Tolerance in the Grand Duchy of Lithuania during the Sixteenth and Seventeenth Century)*, "Odrodzenie i Reformacja w Polsce" vol. XIX, 1974, p. 123.

<sup>10</sup> The Czartoryski Library in Cracow, Ms 313, p. 5–6; Archiwum Główne Akt Dawnych w Warszawie (The Central Archives of Historical Records in Warsaw — later on: AGAD), the Potocki Public Archive (later on: APP) 6, p. 233.

<sup>11</sup> An instruction of local diet in Proszowice of 6 March 1616, *Cracow Acts*, vol. I, p. 361.

<sup>12</sup> An instruction of a local diet in Łuck, 13 December 1622, *Arkh. Yugozap. Ross.*, part 2, vol. I, p. 142.

lation of royal authority and the rights of the local townspeople who were responsible only before the monarch and who enjoyed religious liberties guaranteed by him<sup>13</sup>. It is characteristic that the gentry defending the burghers of Międzyrzecze did not refer to the Warsaw Confederation or arguments of a religious nature. The foundation of the protest was a breach of law, in this case an attempted restitution of ecclesiastical courts over dissenters, suspended during the reign of Sigismund Augustus. In turn, in 1634 the diet in Środa called for the abolition of provisions that forbade Protestants access to town law, and required that the big cities — Gdańsk and Toruń — cease their discrimination of Catholics<sup>14</sup>. It is our conviction that by striving towards a guarantee of equal rights for people of different faith, the gentry of Great Poland stressed the basic issue without which it is impossible to speak about religious tolerance in towns.

Examples of the expansion of principles of religious tolerance beyond the estate of the gentry refer exclusively to royal towns<sup>15</sup>. This state of things was possibly the outcome of the fact that they were cosignatories of the Warsaw Confederation. With the exception of the statment made by the gentry of Sandomierz in 1587, the examples offered by W. Urban<sup>16</sup> and the single voice during the Sejm of 1597<sup>17</sup>, it has been impossible up to now to find any other instances of a defence of the peasants.

It is universally assumed that originally *dissidentes in religione* signified all dissenters, both Protestant and Catholic<sup>18</sup>. Only subsequently, in the course of the consolidation of the Counter-Reformation, *dissidentes in religione* were treated as solely Protestants. This opinion is confirmed i.a. in the *formulae* of the general confederations, established by the Sejms held during the *interregna* of 1587, 1632 and 1648. The Warsaw Confederation concluded at the Sejm of 1587, contained the following expression: “A Confederation established *inter dissidentes de religione*”<sup>19</sup>, while an analogous confederation of 1632 declared: “We grant this *dissidentibus in religione christiana*”<sup>20</sup>; an identical

<sup>13</sup> A protest of the dissenter gentry in Poznań, 30 June 1609, *Akta sejmikowe województwa poznańskiego i kaliskiego (The Local Diet Acts from the Poznań and Kalisz Voivodships)*, vol. I, part 1, ed. W. Dworzaczek, Poznań 1957, p. 392 (later on: Great Poland Acts).

<sup>14</sup> Library of Wrocław University (later on BUWr.) Steinwehr IIF.37, k. 346v.

<sup>15</sup> J. Tazbir, *op. cit.*, p. 100.

<sup>16</sup> He presents examples of voices defending religious tolerance for peasants during the Sejm session of the 1550s, the tolerant interpretation of the Warsaw Confederation by the gentry connected with Piotr Zborowski and the projects of the procedure of the Warsaw Confederation, proposed by dissenters at the Sejm of 1588 and 1606; W. Urban, *Chłopi wobec Reformacji w Małopolsce w drugiej połowie XVI w (Peasants and the Reformation in Little Poland during the Second Half of the Sixteenth Century)*, Kraków 1959, p. 46, 48, 50.

<sup>17</sup> J. Rzońca, *Sejmy z lat 1597 and 1598 (The Sejms in 1597 and 1598)*, Warszawa 1989, p. 80.

<sup>18</sup> E. Bursche, *Z dziejów nazwy dysydenci (From the History of the Term “Dissenter”)*, “Przegląd Historyczny”, vol XXVI, 1926/1927, p. 25–26. According to this author, the term *dissidentes* or *dissidentes in religione* signified from 1632 only the adherents of the Reformation, *op. cit.*, p. 36.

<sup>19</sup> *Volumina Legum* (later on: VL), St. Petersburg 1959, vol. II, p. 228.

<sup>20</sup> VL, St. Petersburg 1860, vol. III, p. 345.

expression is encountered in the confederation of 1648<sup>21</sup>. Many diet instructions and *lauda* carry formulations which make impossible an unambiguous interpretation of the concept of interest to us. Some, including several Mazovian and Lithuanian ones, do not even employ the term *dissenter*. Despite the fact that the data at our disposal are incomplete, we shall attempt to observe the way in which the gentry understood the concept *dissidentes in religione*. Five local diets used this term in the years 1587–1648 to describe Protestants, thirteen — all those who observed different creeds, while thirteen other local diets applied it in both meanings. If we were to examine this phenomenon from the point of view of chronology, then we can notice that in the 1590s fourteen diets understood the term *dissidents* as all followers of different creeds, and five diets — as Protestants. The situation in 1632 was similar: sixteen diets employed the first formulation, and three — the second one. Those tendencies were reversed only in 1648 when out of a total of ten diets, four insisted on using the first meaning of the term and six applied it solely in the second meaning.

An analysis of source material indicates that already in the 1590s if not earlier, the term *dissidens* was employed in two meanings. During the reign of Ladislas IV, we note an increasingly frequent usage of the meaning of a dissenter as a non-Catholic. It was continued in the second half of the seventeenth century<sup>22</sup>. It is worthwhile to notice that the *dissidentes*, understood as followers of different creeds, appear, above all, in the following formulations: “*pax inter dissidentes de religione*”, “a confederation *inter dissidentes in religione*”, “*peace inter dissidentes in religione*”. On the other hand, the *dissidentes* as dissenters from the Catholicism occur in those cases where mention was made of the wrong suffered by them, or complaints presented by them in the Sejm. Let us add, that the word *dissidens* was not the only way of describing non-Catholics. It was also given to those people “who differ from the Catholic faith”, the Evangelists; as a rule, the Mazovian gentry preferred to use the unambiguous word: heretics.

The slow disappearance in the consciousness of the gentry of meaning of the term *dissidens* as “follower of different creeds” should be connected with the declining number and political force of the dissenters, predominantly the Protestants. During the sixteenth century, they remained political partners of the Catholics, and many headed radical and popular programmes (the execution-of-the-law and the national Church movement). In the seventeenth century, their status fell. Moreover, although the idea of religious tolerance survived, it became increasingly obvious from the first half of the seventeenth century and in the course of time that the mutual guarantees of religious peace were not supported by the force and possibilities at the disposal of the dissenters. This process is quite pronounced in the formulations of the confederations of

<sup>21</sup> VL, St. Petersburg 1860, vol. IV, p. 75.

<sup>22</sup> As late as 1687 the Cracow gentry used the term *dissenter* meaning all persons of different creeds; an instruction of the local diet in Proszowice of 16 December 1687, *Cracow Acts*, vol. V, p. 63.

1632 and 1648 when the Catholics guaranteed religious peace *dissentibus in religione Christiana*. Legal acts which expressed the actual configuration of forces were unable, however, to oust the traditionally employed concepts from the consciousness of the gentry. Let us stress that the application of *dissidentes* as all people following different creeds had little in common with the attitude of the diets towards religious tolerance. It was used by both the diets which supported it as well as those opposing it, including the clergy<sup>23</sup>.

The struggle for religious tolerance made use of the most varied arguments. In the case of the Protestants, the leading role was played by legal argumentation which connected indissolubly religious tolerance and the guarantee for safeguarding domestic peace. As a rule, general references were made to the prevailing law and the common law of the past, more rarely, mention was made of concrete law, as in the case of the abuse of competences in religious matters by the Lublin Tribunal of 1627. An instruction issued by the diet in Wisznia recommended that the Tribunal Court acts upon the basis of rights granted by the king Stephen Batory and not expand them arbitrarily and without the consent of the Sejm<sup>24</sup>. Similar arguments were contained in the instructions from Środa in the same year and the instructions from Opatów (1639)<sup>25</sup>. The diet in Wisznia accused the tribunal of usurping the competences of the Sejm court. The Warsaw Confederation was quoted just as rarely; this holds true more of the *pacta conventa* and other acts of the 1587 election. The last two arguments were utilised almost exclusively in the years 1587–1600, the only exception being the instruction from Wisznia, formulated on 2 January 1618<sup>26</sup>. In the course of time, legal argumentation which referred to the 1587 election lost its impact and after 1600 ceased being cited. Just as sporadic were references to the Sejm constitutions.

The situation differed as regards the Greek Orthodox Church. Law, concretely comprehended, played the role of the most important and actually the sole argument in the struggle for the restitution of rights. Only the instruction from Proszowice (14 December 1604) supported the demands made by the Kiev voivode<sup>27</sup>. There are no signs, as was the case with the Protestants, of fears of a breach of internal peace. Hence, many references were made to the Lublin Union of 1569 (the diet in Chełm, 1597, and Łuck, 1616 and 1632)<sup>28</sup>; the Vilno

<sup>23</sup> The bishop of Kujawy, Maciej Lubieński, signed the *laudum* of the local diet in Radziejowice of 5 June 1632 *excepto articulo confederationis inter dissidentes de religione*. *Dzieje ziemi kujawskiej. Lauda i instrukcje 1572–1672 (The History of the Kujawy Region. Resolutions and Instructions 1572–1672)*, vol II, ed. A. Pawiński, Warszawa 1888, p. 54.

<sup>24</sup> An instruction of 31 August 1627 in: *Lauda wiszeńskie 1572–1648. Akta grodzkie i ziemskie z archiwum tak zwanego Bernardyńskiego we Lwowie (The Resolutions of Wisznia Diet 1572–1648. Gentry Courts Acts from the So-Called Bernardine Archive in Lvov)* (later on: AGZ), vol. XX, ed. A. Prochaska, Lwów 1909, p. 247 (AGZ).

<sup>25</sup> An instruction of a local diet in Środa of 31 December 1627, *Great Poland Acts*, part 2, p. 249; an instruction of a local diet in Opatów of 4 September 1630, Kórnik Library, Ms 1317, p. 4.

<sup>26</sup> AGZ, vol. XX, p. 167.

<sup>27</sup> *Cracow Acts*, vol. I, p. 257.

<sup>28</sup> *Scriptores rerum Polonicarum* (later on: *SSRP*), vol. XX, ed. E. Barwiński, Kraków 1907, p. 394; *Arkh. Yugozap. Ross.*, part 2, vol. I, p. 105 and 203.

diet in 1596 recalled that the rights and liberties of the Orthodox Church were sworn by Sigismund III and his predecessors<sup>29</sup>. Finally, in contrast to the Protestant issue, particular Sejm constitutions were frequently cited<sup>30</sup>.

Arguments linking religious tolerance with the domestic peace of the Commonwealth were applied just as readily as law. The Warsaw Confederation, therefore, was seen as an act which would ensure peace. It was in this spirit that the confederation of the Cracow, Sandomierz and Lublin voivodships was formulated on 27 December 1586<sup>31</sup>. It lay emphasis on the fact that attacks against the Protestant churches affected universal peace and love, and violated public safety. The local diet in Środa which in 1614 sent its deputies to the king, with a demand to punish the initiators of religious unrest in Poznań, noted that elsewhere wars were waged for the same reasons<sup>32</sup>. It also underlined that in neighbouring countries religious issues lay at the source of "disturbances" and discord, and that for those reasons "other Christian states have fallen"<sup>33</sup>. Finally, it was indicated that it was necessary to retain peace in the Commonwealth in situations dangerous for the existence of the state<sup>34</sup>.

By opting for religious peace, attempts were undertaken to point to the fact that the roots of religious freedom in the Commonwealth reached into the distant past. Whenever references were made to the law, a special emphasis was placed on its antiquity. Upon many occasion the oath "of His Royal Majesty's predecessors" or the conduct of ancestors were recalled<sup>35</sup>. A similar argument was used in 1604 in Belz, in 1606 in Środa, and in 1648 in Upita<sup>36</sup>.

The principles of religious tolerance were confirmed by the oath sworn by the king. Characteristically, this argument was applied only as regards Sigismund III whose attention was drawn to the fact that attacks launched by mobs against Protestant churches violated monarchic dignity. The previously mentioned protest made by Protestants from Great Poland (1609) underlined the fact that a bishop's illegal jurisdiction constituted a blow against royal power over burghers. It was also indicated that encroachments against religious peace

<sup>29</sup> An instruction of a local diet in Vilno, *SSRP*, vol. XX, p. 405–406.

<sup>30</sup> An instruction of a local diet in Wisznia of about 22 December 1622, *AGZ*, vol. XX, p. 204; an instruction of a local diet in Łuck of 13 December 1622, *Arkh. Yugozap. Ross.*, part 2, vol. I, p. 134; an instruction of a local diet in Płock of 15 August 1611, *BPAN Cracow*, Ms 365, k. 51; the local diet in Łuck of 4 September 1630, *Arkh. Yugozap. Ross.*, part 2, vol. I, p. 153; the local diet in Wisznia of 14 December 1634, *AGZ*, vol. XX, p. 374.

<sup>31</sup> *Cracow Acts*, vol. I, p. 118.

<sup>32</sup> An instruction of a local diet in Środa to the monarch of 15 September 1614, *Great Poland Acts*, part 1, p. 444.

<sup>33</sup> An instruction from Vilno of 5 June 1632, *AGAD*, Radziwiłł Archive (later on: AR) II, Ms 1052.

<sup>34</sup> Resolution from Środa of 3 May 1601 *Great Poland Acts*, part 1, p. 230; an instruction from Wisznia of 3 June 1632 and 25 June 1648, *AGZ*, vol. XX, p. 321 and vol. XXI, p. 8; an instruction from Łuck of 7 January 1645, *Arkh. Yugozap. Ross.*, part 2, vol. I, p. 288.

<sup>35</sup> *AGAD*, AR. II 1052.

<sup>36</sup> An instruction from Belz of 8 December 1604, *AGAD*, APP 31, vol. I, p. 709; an instruction from Środa of 9 February 1606, *Great Poland Acts*, part 1, p. 276; an instruction from Upita of 25 June 1648, *BPAN Cracow*, MS 365, k. 210.

disturbed the debates of the Sejm, since the victims could not find justice there. This argument always constituted a two-sided weapon, used both by the opponents of religious tolerance and by persons satisfied with the prevalent state of things.

The instructions and *lauda* of local diets did not make excessive use of variegated argumentation. Its abbreviated form was the reason for choosing the most essential considerations, which, at the same time, could be favourably received by persons attending both the Sejm and the local diets. The sporadic fuller arguments stressed the interest of the Commonwealth, referred directly to inner-group solidarity and followed the commands of the faith.

The rarely used arguments include the statement made by the gentry of the Mińsk voivodship in 1615, who indicated the direct connection between the safeguarding of religious rights and liberties by the state and civic readiness to undertake its defence<sup>37</sup>. We come across arguments referring to the blood union of the gentry only upon a single occasion, when in 1648 an attempt was made to exclude Antitrinitarians from the confederation of the Cracow voivodship<sup>38</sup>. Otherwise, we deal with the idea of inner-group solidarity in those instances when the diets undertook the defence of their Protestant or Orthodox brethren, stressing that they did so at their own request.

Originally, religious argumentation was used, above all, by the adherents of religious freedom. The gentry of Oszmiana country, gathered at a local diet prior to the Sejm of 1587, expressed their anxiety that God's wrath would punish the king and his subjects for non-observance of the Warsaw Confederation, sworn by the monarch<sup>39</sup>. An excellent example of a truly tolerant stand is the instruction from Łuck (January 1618) which drew attention to the fact that until God Himself grants people the blessing of conciliation, no one is permitted to attack anyone because of his creed<sup>40</sup>. During the reign of Ladislas IV arguments about God's wrath were not summoned, as was the case up to then, for the defence of religious tolerance, but against the Antitrinitarians. This was the procedure followed by the gentry from the Bełz voivodship (1639 and 1641)<sup>41</sup> and from Wisznia in 1640<sup>42</sup>. Let us add that both diets supported religious peace. The atmosphere surrounding the Polish Brethren grew increasingly hostile, while they themselves acted frequently in a provocative manner, as in 1638 when students of the Raków school pulled down crosses.

The argumentation which aided to draw attention to religious problems in the towns, remained within the range of the culture of the gentry, considering that this class was both their author and recipient. Hence, the references to law,

<sup>37</sup> An instruction from Mińsk of 2 January 1615, BPAN Cracow, MS 365, k. 88.

<sup>38</sup> Repest of the Cracow gentry in the defence of Antitrinitarians of July 1648, *Cracow Acts*, vol. II, p. 360.

<sup>39</sup> Instruction from Oszmiana of 30 December 1596, *SSRP*, vol. XX, p. 409.

<sup>40</sup> BPAN Cracow, MS 1051, k. 105.

<sup>41</sup> An instruction from Bełz of 25 August 1639, Ossolineum Library, Wrocław, Ms 121/74 (AGZ, vol. XXVI), p. 161; an instruction from Bełz of 9 August 1641, *ibidem*, p. 176.

<sup>42</sup> An instruction from Wisznia from the beginning of April 1640, *AGZ*, vol. XX, p. 433–434.



the attention drawn to the upheavals in towns within the context of disturbances in the development of the country. The concept of freedom in relation to the burghers was never used excessively, and it was rather said that "let everyone... live in peace".

An analysis of the arguments applied by the opponents of religious tolerance indicates two facts. The first is the scarcity of arguments, and the second — the relatively infrequent nature of the statements. Apart from the already mentioned religious considerations against the Antitrinitarians, one should bear in mind the previously noted and most frequent reasoning about the involvement of the Sejm in matters dealing with the dissenters. Special attention was paid to the tactic of the Protestants who forbade the Sejm to deal with any other issues until matters which affected them directly had not been solved. Only the Mazovian diets referred to law and underlined the conduct of ancestors, worthy of imitation. Upon this basis, together with the edicts issued by the Mazovian dukes in 1525, they wished to reconstitute the law which forbade the dissenters to settle in Mazovia. For all practical purposes, this was the whole argumentation of the opponents of religious tolerance. They found it difficult to refer to the royal oath, state law, public safety or domestic peace. Against this background of scarce arguments, the variety and richness of reasoning used by the adherents of the Warsaw Confederation appears to be even more vivid. Moreover, the number of the defenders of religious tolerance is simply overwhelming. In our estimation, tolerant convictions in the middle of seventeenth century were still an integral component of gentry ideology, and their opposite constitutes a mere margin of the prevalent stands. When during the first half of the seventeenth century Mazovian deputies to the Sejm referred to the edict of 1525, they were reminded, to the satisfaction of the whole Chamber of Deputies, of the fact that the Warsaw Confederation took place already following the act of the incorporation of Mazovia into the Crown.

What was the impact exerted by religious unrest on the attitude of the local diets towards religious tolerance? Did they sustain the tolerant stand of the gentry or, on the contrary, intensify hostility towards the dissenters? One must keep in mind the fact that disturbances of a religious nature, practically limited to a few of the large towns in the Commonwealth, were of a distinctly plebeian nature. It is not important for our reflections whether the active participants of these incidents were dominated by the urban poor, students of Jesuit schools or Cracow University; what is significant is that they were not members of the gentry<sup>43</sup>. There was not a single disturbance against which the particular diets did not protest nor did any of the diets approve religious unrest in the towns. The most intolerant diets, as a rule, remained silent although at time even they protested against acts of violence committed against non-Catholics.

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<sup>43</sup> Even if the participants included the sons of the gentry studying in Jesuit colleges, they cannot be regarded as representatives of the gentry estate since they were minors.

One of the reasons for the critical approach to religious conflicts in towns should be perceived as the expression of some “natural” enmity of the gentry towards the plebeians. A much more essential role was played by gentry’s hostility towards all extremist solutions, connected with the use of force, and by the feeling of a responsibility for the fate of the Commonwealth. The disturbances were of an openly illegal and anarchistic character, a threat to security in towns and to the peace within the country. The gentry understood this well and expressed their position in the instructions and *lauda* published by the local diets. The religious upheavals were connected with the problem of legal responsibility of their participants, especially academic students and pupils of Jesuit schools. Stanisław Lubomirski, the Cracow voivode, drew attention to this matter in a letter of 18 June 1641 addressed to the diet held in Środa. In it he attempted to win the support of the gentry for the project of establishing a commission which would engage itself in the creation of such a set of rules for schools which would permit punishing the guilty parties. At the same time, the letter mentioned the threat to the lives and property of the gentry in the course of religious unrest, as was the case in Cracow, and to the impunity of the students in their relations with the voivodship and town authorities<sup>44</sup>.

The religious disturbances were closely connected with the adaptation of the procedure of the Warsaw Confederation i.e. regulations which made it possible to penalize participants of religious unrest regardless of their estate affiliation and religious convictions. For the first time such a postulate was presented during the 1587 interregnum by the gentry of Bełż<sup>45</sup>. This initiative gained universal support and became part of the decisions taken at the Wiślica convention and subsequently of the proposals of the coronation Sejm. Quite possibly, the direct stimulus for formulating this postulate was the unrest in Cracow in 1587<sup>46</sup>. At any rate, the intensification of religious upheavals in the years 1587–1597 corresponded to the greatest activity of the local diets of which as many as 15 called for the observance of the Confederation. Subsequently, some repeated their demands. Later, the number of supportive statements declined. Once again, the increased number of disturbances in the years 1605–1607 and 1613–1616 provoked requests connected with the procedure of the Confederation but their number was already much smaller. From 1618 to the end of the reign of Ladislas IV the number of disturbances fell systematically, and interest in the Confederation slowly disappeared. The only period when this question was reexamined was the *interregnum* following the death of Sigismund III when of the diets known to us, three formulated the slogans of the Confederation. In this particular case, the reasons for returning to this question should be sought to a great extent in the energetic undertakings during the *interregnum*

<sup>44</sup> Stanisław Lubomirski, the Cracow voivode to the local diet in Środa of 18 June 1641, BUWr, Steinwehr, III F 37, k. 96.

<sup>45</sup> The Ossolineum Library in Wrocław, MS 121/74, p. 50.

<sup>46</sup> K. Lepszy, *Walka sejmowa o konfederację warszawską (The Sejm Struggle for the Warsaw Confederation)*, “Odrodzenie i Reformacja w Polsce”, vol. IV, 1959, p. 119.

on the part of the Protestants and the Greek Orthodox population. Same chances for passing the procedure of the Confederation existed in the 1590s when almost all local diets, both Crown and Lithuanian, opted for an attitude most favourable for the dissenters. The resistance of the clergy and the unwillingness of the king made success impossible. The religious disturbances began fading, the pressure exerted by the dissenters grew weaker, and the phantom of a civil war caused by religious differences became more distant. In this situation, the gentry, whose overwhelming majority was Catholic, although still tolerant, showed signs of satisfaction with the existing state of things. The place of the slogan calling for the inclusion of the Confederation in the diet instructions was taken by demands for safeguarding the Confederation, the prevention of disturbances and the punishment of the guilty, which was much easier to accept for the groups which remained inimical to the dissenters. Simultaneously, it is difficult to agree with the opinion of H. Wisner that the gentry's resignation from forcing through the postulate of the Warsaw Confederation signified a conscious abandonment of the transformation of the Commonwealth into a state in which every faith enjoyed equal rights<sup>47</sup>. This stand was rather the consequence of an unawareness, on the part of the majority of the gentry, of the fact that the incompleteness of this question, as many others, led to gaps in the legal system, exploited by the opponents of religious tolerance. H. Wisner proposed the thesis that the Lithuanian local diets expressed their opinions as regards questions of religion only when there loomed the danger of a clear violation of religious peace<sup>48</sup>. Our research, which includes the entire Commonwealth, confirms this thesis only partially. We have many examples testifying to the fact that at least part of the gentry did not restrict their statements exclusively to reactions towards successive disturbances. The diet in Środa demanded the observance of the Confederation in 1600, 1602, and 1604, and the diet in Proszowice — in 1600 and 1603 — years free from violent anti-dissenter outbursts in towns. This was also the situation of the Greek Orthodox Church. By defending the Orthodox population, the local diets, including Lithuanian ones, reacted not only to the incidents which did take place, but at the same time, systematically called for altering the legal situation of the Orthodox Church. It must be borne in mind that incidents which provoked upheavals sustained the interest of the gentry in the social aspects of religious differences in the Commonwealth. Despite the intentions of the initiators and participants of the disturbances, they exteriorised and consolidated the opinions of the gentry community.

At the time of the establishment of Warsaw Confederation, the Greek Orthodox Church in the Commonwealth enjoyed equal rights. The Union of Brześć radically changed the status of the Eastern rite. All the heretofore rights

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<sup>47</sup> H. Wisner, *Walka o realizację konfederacji warszawskiej za Zygmunta III (The Struggle for the Realization of the Warsaw Confederation during the Reign of Sigismund III)* "Odrodzenie i Reformacja w Polsce", vol. XIX, 1974, p. 148.

<sup>48</sup> H. Wisner, *Sejmiki litewskie i kwestia wyznaniowa 1611–1648 (The Lithuanian Local Diets and the Religious Issue 1611–1648)*, *ibidem*, vol. XXIII, p. 133.

of the Orthodox population were transferred to the Uniates. There emerged a serious legal, political and moral problem, even more so considering that the adherents of the Union constituted a distinct minority. The introduction of the Brześć union also antagonised religious relations in the Commonwealth. As many as 10 local diets opted for a decided support for the Orthodox faithful (1596–1598). The majority, however, kept silent, in this way expressing not only a lack of great interest but also their underestimation of the weight and dimensions of the issue. Only the diet in Raciąż praised the union in 1597<sup>49</sup>. From the very beginning of its existence, therefore, the Greek–Catholic rite did not enjoy a great sympathy of the gentry. This attitude was the outcome of the fact that the majority of the gentry of the Eastern rite remained loyal to the Orthodox Church. This situation remained unchanged by the attitude of the diet of Słonim which rather rapidly supported the Uniates whose only defenders proved to be, and rather sporadically at that, the Mazovian diets. The causes for this phenomenon are well known. If the Orthodox gentry abandoned the religion of their ancestors in the first half of the seventeenth century, then they usually chose the Roman Catholic creed. The conversion to the Uniate Church of a considerable part of the gentry from the Słonim country was an exception<sup>50</sup>. In the course of time, the attitude towards the supporters of the union began to alter gradually, although slowly. Up to 1606 dominating enmity was particularly visible in the stand taken by local diets representing the gentry from terrains inhabited by the Greek Orthodox population. The diets that convened in Łuck in 1597 and 1606, in Bełz in 1606 and in Żytomierz in 1606 called for the liquidation of the union<sup>51</sup>. Already in 1607, however, the diet in Łuck, one of the most radical of its kind, allowed Uniate bishops to possess one-third of their heretofore incomes for life. In 1609 it postulated for the metropolite, władykas and archimandrates who wished to remain loyal to the union to be deprived of superiority over the Orthodox clergy<sup>52</sup>. At the same time, there appeared postulates which strove towards guaranteeing religious tolerance for the Uniates. The Greek Catholic rite began winning more supporters whose number grew in time. The gentry was compelled to notice this phenomenon, and, without revealing enthusiasm for the union, they began coming to terms with its existence. This attitude was expressed in an instruction of the diet held on 4 September 1630 in Łuck<sup>53</sup>. The regulation of the legal situation of the Orthodox Church which took place at the beginning of the reign of Ladislas IV, was the reason why support for it slightly fell. The diet in Bełz, which in 1606 called

<sup>49</sup> An instruction of a local diet in Raciąż of 8 January 1597, Czartoryski Library, MS 2724, p. 637.

<sup>50</sup> H. Wisner, *op. cit.*, p. 137.

<sup>51</sup> An instruction from Łuck of 13 January 1597, *SSRP*, vol. XX, p. 397; Articles of the Volhynia and Kiev voivodship at Sandomierz in 1606, *Arkh. Yugozap. Ross.*, part 2, volume I, p. 68; an instruction from Bełz, about 14 February 1606, Ossolineum Library in Wrocław, Ms 121/74, p. 73.

<sup>52</sup> An instruction from Łuck of 27 March 1607, *Arkh. Yugozap. Ross.*, part 2, vol. I, p. 73; an instruction from Łuck of 29 November 1609, *ibidem*, p. 92.

<sup>53</sup> *Ibidem*, p. 153.

for the liquation of the union, ceased noticing the problem of the Eastern rite. The issue was not reexamined until 1639, this time with support for the Uniates<sup>54</sup>. Interest in the problems of the Orthodox population and the Uniates was connected closely with the territorial location of particular diets. The Crown diets from areas which lacked congregations of the Eastern rite, discussed “the Greek religion” only sporadically. In the 1596–1648 period, the diet in Bełz voiced its opinion on four occasions, that of Proszowice — three times, in Raciąż — three times in Łomża — twice, in Opatów and Czersk — once. A much livelier interest in the Orthodox Church and the union was revealed by the Lithuanian diets but then all the voivodship of the Grand Duchy of Lithuania, apart from Samogitia, were inhabited by the adherents of Eastern rite.

The religious convictions of the gentry living within the range of a given diet was of considerable importance for their attitudes. The most classical and well-known example is Mazovia. It is accepted that the greatest percentage of the Protestant gentry resided in the Rawa voivodship, a fact which explains the favourable attitude of the diets in this region to the dissenters. During the 1590s the diet in Rawa called for the observance of the Warsaw Confederation. The absence of data for the first half of the seventeenth century is the reason why the existing state of research makes it impossible to ascertain whether the conversion of the Gostomski family to Catholicism altered the attitude of the Rawa gentry. The Plock and Mazovian voivodships, without any dissenting gentry, are considered to have been bastions of intolerance. Their stand, however, was not always unambiguous. Upon two occasions, in 1596 and 1606, the diets of Raciąż supported the postulates of the Evangelists, and the diet in Czersk, calling for the protection of the rights enjoyed by the Catholic Church, also demanded that perpetrators responsible for pulling down Protestant churches in Cracow and Vilno (1591) be punished<sup>55</sup>. An identical stand was taken by the general diet of Mazovia and although no instructions of the Mazovian voivodship have survived, one can assume that at least some of the diets sustained the postulates of the Protestants<sup>56</sup>. In 1597 the gentry of Czersk and Raciąż took a relatively favourable stand towards the Warsaw Confederation although they recommended that the discussion be adjourned to the next diet<sup>57</sup>. In 1600 the pre-Seym diet in Łomża requested a re-consideration of the constitution about disturbances<sup>58</sup>. A year later the gentry in Łomża demanded that the Orthodox population “retain its rights”<sup>59</sup>. In turn, in 1607 the pre-Seym

<sup>54</sup> An instruction from Bełz of 25 August 1639, Ossolineum Library in Wrocław, Ms 121/74, p. 162.

<sup>55</sup> An instruction from Raciąż of 19 February 1596, BPAN Cracow, MS 121/74, p. 162.

<sup>56</sup> An instruction from Raciąż of 19 February 1596, BPAN Cracow, Ms 950, k. 184v; resolution from a local diet in Raciąż of 14 July 1606, BPAN Cracow, Ms 951, k. 284; an instruction from Czersk of 14 August 1592, *SSRP*, vol. XXI, ed. E. Barwiński, Kraków 1911, p. 138.

<sup>57</sup> An instruction from Raciąż of 8 January 1697, BPAN Cracow, Teki Pawińskiego (Pawiński Files later on: TP), 19, p. 116; an instruction from Czersk of January 1597, *SSRP*, vol. XX, p. 361.

<sup>58</sup> An instruction from Łomża of 10 January 1600, TP, 14, k. 68v.

<sup>59</sup> An instruction from Łomża of 9 January 1601, *ibidem*, k. 75.

diet in Różan called for calming the Protestants<sup>60</sup>. Finally, the gentry which gathered at a diet in Nur in 1632 advised their deputies to safeguard religious peace by confirming the Warsaw Confederation<sup>61</sup>. This, however, was an isolated opinion, and the general diet of Mazovia chose an attitude hostile towards the confederation.

Two periods can be distinguished in the position of Mazovian diets towards religious tolerance. During the first stage which lasted up to 1607 some of the local diets presented a tolerant attitude, and, moreover, none of the opinions voiced at that time opposed the Warsaw Confederation. In the course of the second period, from 1615 on, the Mazovian diets, apart from the above mentioned one held in Nur, spoke about questions concerning the dissenters in a highly unfavourable manner. Similar changes occurred in the attitude of the gentry in Łęczyca, just as Catholic as the one in Mazovia. In the 1590s they warned against the observation of the Warsaw Confederation but already at the Sejm of 1607 deputies from Łęczyca accused the Protestants of "disbanding" the Sejm with their demands<sup>62</sup>. In 1612 and 1616 the diet in Łęczyca requested that the dissenters stop hindering the debates of the Sejm<sup>63</sup>. At the same time, in 1615, it demanded the return of Catholic churches, and on the eve of the Sejm sessions of 1618 and 1619 — the deprivation of the Protestant gentry of the right to purchase houses in towns, since they were intended for church buildings<sup>64</sup>. In this way, the Łęczyca diet joined those of Mazovia. After 1619 the Łęczyca gentry no longer disclosed greater interest in religion, and did not support the Warsaw Confederation. The general rule about the correlation between the number of Protestants residing in a given voivodship and the attitude of the local diets, although generally speaking quite correct, cannot be applied in every situation. Such exceptional cases influence the Sieradz voivodship whose diets demonstrated goodwill towards dissenters as late as the 1640s<sup>65</sup>.

In the course of time, the territorial range of tolerance diminished. We mentioned this phenomenon in reference to Mazovia, and the Plock and Łęczyca voivodships. A similar state of things took place in Podlachia. Up to 1607 the local diets of that region, and particularly in Drohiczyn, spoke in favour of safeguarding the Warsaw Confederation<sup>66</sup> but kept silent in the later period.

<sup>60</sup> An instruction from Różan of 7 April 1607, TP, 20, k. 12v.

<sup>61</sup> An instruction from Nur of 3 June 1632, TP, 18, k. 6.

<sup>62</sup> A letter from the deputies of Łęczyca to the gentry of Łęczyca of 2 June 1607, TP, 10, p. 144.

<sup>63</sup> An instruction from Łęczyca of 29 January 1613 and 8 March 1616, Czartoryski Library in Cracow, Ms 370, p. 363, TP, 10, p. 172.

<sup>64</sup> An instruction from Łęczyca of 14 January 1615, of 2 January 1618 and 12 December 1618, TP, 10, p. 165, 181, 189.

<sup>65</sup> Articles from Szadek of 28 March 1640, BUWr, Steinwehr III F 37, k. 18. Hence my statements that after 1606 the gentry from Sieradz showed no interest in religious issues proved to be imprecise. E. Opaliński, *op. cit.*, p. 62.

<sup>66</sup> Confederation of the Podlachia voivodship in Brańsk on January 1587, AGAD, Kapiciana 10, p. 542; an instruction from Drohiczyn of 8 August 1592, SSRP, vol. XXI, p. 145; an instruction from Drohiczyn of 6 March 1607, AGAD, Księga drohicka grodzka (The Drohiczyn Municipal Register) series II, book 13m, k. 343v.

Summarizing, it seems worthwhile to stress that despite a general supremacy of tolerant attitudes, beginning with the 1620s an increasing number of diets did not voice their opinions as regards religion and some, despite the tolerant policy pursued by Ladislas IV, retracted. Our investigations also do not confirm the thesis proposed by J. Dziegielewski about the existence of a period — from 1633 to 1643 — in which the overwhelming part of the gentry community took an intolerant stand towards the Protestants<sup>67</sup>. Transformations within the attitudes of the diets were of an evolutionary nature. Just as gradual were alterations of ways of thinking and comprehending the principles of religious tolerance. The first victims of alienation were the Antitrinitarians. Even such a tolerant diet as the one convened in Środa, already in 1598 called for their exclusion from the Warsaw Confederation<sup>68</sup>. This process grew, and if we are to speak about any sort of *caesurae* during the reign of Ladislas IV, then such a role could have been played by the Raków issue. Despite the alleviation of the conflict, in 1648 an attempt was made to oust the Polish Brethren from the Warsaw Confederation and in 1658 they were banished from the Commonwealth as a group with which the majority felt no fraternal ties.

(Translated by Aleksandra Rodzińska–Chojnowska)

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<sup>67</sup> J. Dziegielewski, *op. cit.*, p. 8.

<sup>68</sup> This postulate was repeated in 1602, an instruction from Środa of 26 January 1598 and 30 December 1603, *Great Poland Acts*, part 1, p. 207, and p. 256.