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Ethnicity, Religious Disparity and the Formation of the Multicultural Society of Red Ruthenia in the Late Middle Ages

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Annexation, Colonization and the Emergence of a New Society

Cultural anthropologists argue that multi-ethnic societies may emerge as a result of conquest or large-scale migrations.* This general claim holds true for the Red Ruthenian society of the late Middle Ages. A crucial role in the ethnic transformation of Red Ruthenia was played by both the mentioned factors, namely by the profound political changes taking place in Central and Eastern Europe after 1340 (partition of the Halyč-Volhynian Duchy by Poland, Hungary and Lithuania, and the incorporation of its western part into the Crown of Poland) and the considerable migrations and colonization occasioned by the annexation. In the final stages of its independent statehood, Ruthenia was of course no longer homogeneous ethnically or entirely sealed off from foreign influences. However, the ethnical differentiation there was relatively modest, accounted for by Jewish, German, Armenian, Karaite and other foreign merchants, itinerant craftsmen, captives and war prisoners, knights in search of new abodes, and missionary priests. These infiltrations

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were on the whole incidental, of no great consequence, doing nothing to permanently disrupt the ethnic composition of the Duchy which in the early fourteenth century still remained relatively homogeneous. A new ethnic component could have been Walachian migrants who may have reached these areas around that time, but there is no firm evidence to confirm their arrival.

A significant transformation of the ethnic structure took place in the aftermath of the 1340 political upheaval, triggered by migrations which began intensifying already in the second half of the fourteenth century. The profound socio-economic modernization of Ruthenia which got underway immediately after the country's conquest coincided with a serious depletion of the local population. Vigorous urbanization processes, town foundations (*locatio*) and resiting of urban centres, the creation of entirely new villages and development of existing settlements, and reconstruction work following the Tartar invasions which resulted in the death or abduction of countless people – all this must have created powerful migration forces. The indigenous people could not satisfy the new demographic demand, suffering from a population crisis which the contemporaries described as *depopulatio*, *carentia populi*, *defectus gentis*. Newly located towns and villages founded according to German law (*iure Theuthonico*) were settled by Germans and Poles arriving from the West via a wide colonization corridor, extending from Wrocław (Breslau) to Cracow and from Przemyśl to Lviv (Lwów, Lvov, Lemberg).¹ The villages founded according to Walachian law (*iure Valachico*) relied in their turn on migrating Walachians, who formed a kind of professional corporation specializing in pastoral economy, and were an ethnic mixture of Romance and Balkan elements with a Ruthenian component. The Walachian migrants to Ruthenia originated from the northern and eastern territories of Hungary: Transylvania, Maramures and Slovak comitats. These settlement waves, reaching westwards along the Carpathian Mountains arc as far as Moravia and Silesia, spread into Ruthenia by veering northwards into the lower-lying wastelands, reaching the lands of Bełz and Chełm, and

¹ Raimund F. Kaindl, *Geschichte der Deutschen in der Karpathenländern*, I: *Geschichte der Deutschen in Galizien bis 1772*, Gotha 1907; Przemysław Dąbkowski, *Stosunki narodowościowe ziemi sanockiej w XV stuleciu*, Lwów 1921; id., *Ziemia sanocka w XV stuleciu*, I-II, Wschód. Wydawnictwo do dziejów i kultury ziem wschodnich Rzeczypospolitej Polskiej, 11-12, Lwów 1931; Franz A. Doubek, Heinrich Felix Schmid, *Das Schöffenbuch der Dorfgemeinde Krzemienica aus den Jahren 1451-1481*, Quellen zur Geschichte der Rezeption, 2, Leipzig 1931, pp. 1*-53* (Einleitung); Adam Fastnacht, *Osadnictwo ziemi sanockiej w latach 1340-1650*, Wrocław 1962, p. 190 ff.; Władysław Tomkiewicz, *Zasięg kolonizacji polskiej na ziemiach ruskich*, 'Przegląd Powszechny', 197, 1933, p. 34 ff.; Andrzej Janeczek, *Polska ekspansja osadnicza w ziemi lwowskiej w XIV-XVI wieku*, 'Przegląd Historyczny', 69, 1978, 4, pp. 597-622, esp. p. 611 ff.; id., *Osadnictwo pogranicza polsko-ruskiego. Województwo bełskie od schyłku XIV do początku XVII w.*, Wrocław 1991, p. 120 ff., 196 ff., 291 ff.

Volhynia.² Another migration route, this one leading from the Crimea, Armenia and Persia, and later from Moldavia and Transylvania, was used by Armenians heading predominantly for towns.³ The immigrating Jews,⁴ mostly

² Aleksander Stadnicki, *O wsiach tak zwanych wołoskich na północnym stoku Karpat*, Lwów 1848; J[an] T[adeusz] L[ubomirski], *Północno-wschodnie wołoskie osady*, 'Biblioteka Warszawska', 4 (60), 1855, pp. 1-56; Franz Miklosich, *Über die Wanderungen der Rumunen in den dalmatinischen Alpen und den Karpaten*, Denkschriften der kaiserlichen Akademie der Wissenschaften, Philos.-hist. Classe, XXX, Wien 1880; Karel Kadlec, *Valaši a valašské právo v zemích slovanských a uherských*, Praha 1916; Przemysław Dąbkowski, *Wołosi i prawo wołoskie w dawnej Polsce*, in: *Studia historyczne ku czci Stanisława Kutrzeby*, I, Kraków 1938, pp. 105-118; Ja. S. Mel'ničuk, *K voprosu o tak nazyvaemoj vološskoj kolonizaciji i vološskom prave v Karpatach v XVI-XVIII vekach*, 'Eżegodnik po Agrarnoj Istorii Vostočnoj Evropy', 1964, pp. 193-198; Omeljan Stavrovs'kyj, *Slovac'ko-pol's'ko-ukraïns'ke prykordonnja do 18 stolittja*, Prjašev 1967; Kazimierz Dobrowolski, *Migracje wołoskie na ziemiach dawnego państwa polskiego*, in: *Studia podhalańskie. Pasterstwo Tatr Polskich i Podhala*, VIII, Wrocław 1970, pp. 89-97; id., *Studia nad kulturą pasterską w Karpatach północnych. Typologia wędrówek pasterskich od XIV do XX wieku*, in: *ibid.*, pp. 98-121; Tadeusz M. Trajdos, *Początki osadnictwa Wołochów na Rusi Czerwonej*, in: *Łemkowie w historii i kulturze Karpat*, I, Rzeszów 1992, pp. 199-210; Grzegorz Jawor, *Etniczne oblicze osad prawa wołoskiego na przedpolu Karpat w Małopolsce i Rusi Czerwonej (XIV-XV w.)*, in: *Początki sąsiedztwa. Pogranicze etniczne polsko-rusko-słowackie w średniowieczu*, Rzeszów 1996, pp. 301-306; id., *Osady prawa wołoskiego i ich mieszkańcy na Rusi Czerwonej w późnym średniowieczu*, Lublin 2000.

³ Sadok Barącz, *Rys dziejów ormiańskich*, Tarnopol 1869; Czesław Lechicki, *Kościół ormiański w Polsce*, Lwów 1928; Zdzisław Obertyński, *Legenda jazłowiecka. Przyczynek do krytyki podań ludowych w wiekach XVI-XVIII*, 'Studia Źródłoznawcze', 7, 1962, pp. 57-76; Yaroslav Dachkévytch, *L'établissement des Arméniens en Ukraine pendant les XI^e-XVIII^e siècles*, 'Revue des Études Arméniennes', N.S., 5, 1968, pp. 329-367; Mirosława Zakrzewska-Dubasowa, *Z badań nad osadnictwem ormiańskim na ziemiach Zachodniej Ukrainy i dawnej Rzeczypospolitej*, in: *Polska w Europie*, Lublin 1969, pp. 161-173; eadem, *Ormianie w dawnej Polsce*, Lublin 1982; B. R. Grigorjan, *Istorija armjanskich kolonii Ukrainy i Pol'si (Armjane v Podolii)*, Erevan 1980; Juliusz Bardach, *Ormianie na ziemiach dawnej Polski. Przegląd badań*, 'Kwartalnik Historyczny', 90, 1983, 1, pp. 109-118; Krzysztof Stopka, *Kościół ormiański na Rusi w wiekach średnich*, 'Nasza Przyszłość', 62, 1984, pp. 27-95; id. *Armenia Christiana. Unionistyczna polityka Konstantynopola i Rzymu a tożsamość chrześcijaństwa ormiańskiego (IV-XV w.)*, Rozprawy Wydziału Historyczno-Filozoficznego PAU, 96, Kraków 2002.

⁴ Majer Balaban, *Dzielnica żydowska. Jej dzieje i zabytki*, Biblioteka Lwowska, 5-6, Lwów 1909; Maurycy Horn, *Żydowski ruch osadniczy w miastach Rusi Czerwonej do 1648 r.*, 'Biuletyn Żydowskiego Instytutu Historycznego', 1974, 2 (90), pp. 3-24; id., *Żydzi na Rusi Czerwonej w XVI i pierwszej połowie XVII w. Działalność gospodarcza na tle rozwoju demograficznego*, Warszawa 1975; Hanna Węgrzynek, *Z badań nad dziejami Żydów przemyskich w XV wieku*, 'Przemyskie Zapiski Historyczne', 6-7, 1988-1989, p. 65 ff.; Jacek Krochmal, *Dzielnica żydowska w staropolskim Przemyśle*, *ibid.*, 10, 1993, pp. 7-30; Jerzy Wyrozumski, *Jews in Medieval Poland*, in: *The Jews in Old Poland*, ed. by Antony Polonsky [et al.], Oxford 1993, pp. 13-22; Vladimir Melamed, *Evrei vo L'vove. Sobytyja, obščestvo, ljudi*, L'vov 1994, p. 30 ff.

Ashkenazim travelling from the West, but also Karaites⁵ arriving from trade centres on the Black Sea coast likewise remained predominantly town dwellers.

The two foreign settlement waves penetrated the Ruthenian rural territories in different ways. The western territory, closest to Lesser Poland, was most heavily affected by the eastward migrations of rural populations from the West, seeking to exploit opportunities for agricultural colonization. The Carpathian foothills on the other hand witnessed Walachian-Ruthenian migrations from the south, fanning out northwards. These migrants specialized in pastoral agriculture. The colonization of rural territories elsewhere in Ruthenia had to rely primarily on local demographic resources, and also on people from remoter Ruthenian territories fleeing Tartar and Turkish invaders. The Ruthenian ethnos in the countryside suffered minor losses, some of which were made up by Ruthenization of Walachian newcomers and the scattered (and thus easily absorbed) Western settlers. The situation in towns was different. The burghers represented a much more varied ethnic mix, including people who normally never settled in rural communities (Jews, Armenians, Karaites). These groups were able to retain their distinctness thanks to a variety of organizations – communes as well as legal and religious communities. The demography of towns in Red Ruthenia display a correlation between town size and ethnic complexity: the larger the town, the greater the number of its ethnic components. The smaller towns as a rule displayed a simpler ethnic structure. As regards the indigenous Ruthenian population, the correlation is the reverse one: the smaller towns and localities featured a larger percentage of Ruthenians, with this percentage diminishing in larger towns, and this regardless of local variations.

⁵ Majer Bałaban, *Karaici w Polsce. Studia historyczne*, Warszawa 1927; T. S. Lewi-Babowicz, *Karaimi na ziemiach południowo-ruskich w wiekach IX-XVII*, 'Myśl Karaimska', 2, 1929, 2, pp. 25-32; Ananiasz Zajączkowski, *Karaimi na Wołyniu*, 'Rocznik Wołyński', 3, 1933, pp. 4-21; id., *Elementy tureckie na ziemiach polskich*, 'Rocznik Tatarski', 2, 1935, pp. 199-227; id., *Karaims in Poland*, Warszawa 1961; Simon Szyszman, *Die Karäer in Ost-Mitteleuropa*, 'Zeitschrift für Ostforschung', 6, 1957, 1, pp. 24-54; id., *Das Karäertum. Lehre und Geschichte*, Wien 1983, p. 80 ff.; Jaroslav Stepaniv [Daškevyč], *L'époque de Danylo Romanovych (milieu du XIII^e siècle) d'après une source karaïte*, 'Harvard Ukrainian Studies', 2, 1978, pp. 334-373; Jan Tyszkiewicz, *Karaimi litewscy i polscy*, 'Ziemia. Prace i materiały krajoznawcze', 1982, pp. 91-108; id., *Tatarzy na Litwie i w Polsce. Studia z dziejów XIII-XVIII w.*, Warszawa 1989, p. 153 ff.; id., *Karaimi litewscy w czasach Witolda i sprawa przywileju datowanego rokiem 1388*, 'Studia Źródłoznawcze', 36, 1997, pp. 45-62; id., *Karaimi na Rusi i Litwie do 1388 roku*, 'Przegląd Orientalistyczny', 1999, 3-4, pp. 177-186; Aleksander Dubiński, *Karaimica. Prace karaimoznawcze*, Warszawa 1994; Grzegorz Pełczyński, *Najmniejsza mniejszość. Rzecz o Karaimach polskich*, Warszawa 1995; Stefan Gąsiorowski, *Stan badań nad dziejami Karaimów w dawnej i współczesnej Rzeczypospolitej*, 'Studia Historyczne', 45, 2002, 3-4, pp. 311-330.

Another sphere of modernization processes, closely linked to urbanization and rural colonization, was landed property. The principal source of transformations here were land grants distributed by monarchs. The policy of donating land, initiated by Casimir the Great right after the king's first military and political successes and being in line with the interests of magnates and gentry participating in Poland's involvement in the East, was continued by successive kings until in the mid-fifteenth century they ran out of land to donate. The land grants assumed gigantic proportions, leaving only around 20-25% of property in the royal domain,⁶ and prompted migrations of gentry. The largest numbers of noblemen arrived from Lesser Poland (including a group of magnates⁷), Silesia, Mazovia and Greater Poland, with significantly fewer migrants coming out of Hungary and Bohemia.⁸ The vast majority of migrants arrived from the West. Another, less significant immigration stream comprised Walachian gentry, namely the lesser knights with military service duties of the Drag-Sas coat of arms community, who settled in communes in the lands of Przemyśl, Lviv and Halyč in the Carpathian foothills.⁹

The migrations resulted in a complex ethnic profile of Red Ruthenia. The multidirectional population movements displayed diverse social characteristics, variously contributing to different social milieux, and impacting in different ways on the various sub-regions of the country. The ethnic composition was not stable but evolved due to the changing intensity of inflow of various ethnic groups and acculturation processes. It would be premature at this stage of research to propose an ethnic map of Red Ruthenia or any statistical estimates, as these would inevitably end up being fragmentary and therefore risky. For the time being, let us remain content with the general assertion that the ethnic structure in the countryside was formed predominantly by Ruthenians (with some Walachian, Polish and German participation); in towns the Poles and Ruthenians prevailed, with a decreasing German and growing Jewish population, there also being other groups present, notably the Armenians who engaged in long-distance trade only in the larger urban centres; the gentry was an evolving Polish-Ruthenian-Walachian

⁶ Andrzej Janeczek, *New Authority, New Property, New Nobility. The Foundation of Noble Estates in Red Ruthenia during the Fourteenth and Fifteenth Centuries*, 'Quaestiones Mediaevali Novae', 7, 2002, pp. 77-125.

⁷ Stanisław Gawęda, *Możnowładztwo małopolskie w XIV i w pierwszej połowie XV wieku*, Kraków 1966; Włodzimierz Dworzaczek, *Leliwici Tarnowscy. Z dziejów możnowładztwa małopolskiego, wiek XIV-XV*, Warszawa 1971.

⁸ Przemysław Dąbkowski, *Wędrowniki rodzin szlacheckich. Karta z dziejów szlachty halickiej*, in: *Księga pamiątkowa ku czci Oswalda Balzera*, I, Lwów 1925, pp. 21-43; id., *Zwierzchność szlachecka*, Lwów 1928.

⁹ Ludwik Wyrostek, *Ród Dragów-Sasów na Węgrzech i Rusi Halickiej*, 'Rocznik Polskiego Towarzystwa Heraldycznego', 11, 1932.

conglomerate, with a decreasing participation of Germans, Silesians, Armenians and other newcomers.¹⁰

Following its annexation, Red Ruthenia also underwent a significant social transformation. The social system that had evolved in Rus' prior to 1340 did not survive under Polish rule. Facing pressure from the new ownership relationships, the privileged status of the gentry, the spreading of urban law and new developments in the countryside, the old system gradually gave way in the space of a few generations to the Polish estate system with its corresponding social structure. The differences with regard to the Polish system that did survive merely reflected the specific nature of the various provinces. These peculiarities included both newly introduced elements of the vassalage system which remained rather unpopular in the Kingdom of Poland proper, the specific 'kin-territorial' organization of migrating Walachian groups, as well as relics of the previous Ruthenian system, confined mainly to the countryside, such as semi-enslaved people, Horde men (*Ordyntsy*), *Kalanny*, *Tiagly*, *Smerds*, remnants of the decurion organization, servitors, so called *ludzie podworzyczni* ('manor men') and servile boyars dependent on castles. These social categories had no equivalents in the estate system and for a while functioned alongside it. Regardless of these provincial peculiarities, however, the social order of Red Ruthenia was the work of estates, the groups of inherited social and legal status. (The exception here being, of course, the clergy – or, more precisely, the Catholic clergy – who were not able to inherit their status.) Generally speaking, the social relationships in Red Ruthenia were patterned after those in the Kingdom of Poland, with this being evident when one looks at the social system of the formerly Ruthenian lands which were annexed by Lithuania. In these latter lands the higher echelons of society (the dukes, lords, boyars and servile boyars) were not immediately combined to form a single gentry estate, the rural populations retained elements of the archaic socio-economic system to a much greater extent, while the towns, not all of them enjoying a fully municipal system, failed to become sharply distinct from the rural sphere.¹¹

10 Józef Półciwiatek, *Nacje i religie na pograniczu etnicznym polsko-ukraińskim czasów nowożytnych. Próba bilansu*, in: *Sąsiedztwo. Osadnictwo na pograniczu etnicznym polsko-ukraińskim w czasach nowożytnych*, ed. by Józef Półciwiatek, Rzeszów 1997, pp. 33-53; Andrzej Janeczek, *Ethnische Gruppenbildungen im spätmittelalterlichen Polen*, in: *Das Reich und Polen. Parallelen, Interaktionen und Formen der Akkulturation im hohen und späten Mittelalter*, ed. by Thomas Wünsch, Vorträge und Forschungen, 59, Ostfildern 2003, pp. 401-446.

11 Natalija M. Jakovenko, *Ukraiń's'ka šljachta z kінця XIV do seredyny XVII st. (Volyn' i Central'na Ukraїna)*, Kyiv 1993; Juliusz Bardach, *Miasta na prawie magdeburskim w Wielkim Księstwie Litewskim od schyłku XIV do połowy XVII stulecia*, 'Kwartalnik Historyczny', 87, 1980, 1, p. 27 ff.; Andriy Zajac', *Urbanizacijnyj proces na Volyni v XVI – peršij polovyni XVII stolittja*, L'viv 2003.

The social and economic modernization processes as well as migrations of colonizers led to the emergence in Red Ruthenia of a new society, composed of various ethnic groups, each representing a different culture and religion. This society comprised a substrate of indigenous Ruthenians – Eastern Slavic people, Orthodox Christian, speaking the Old Ukrainian language, belonging to the Greek-Byzantine cultural tradition – and immigrant foreign groups arriving from several cultural zones. Genetically, the immigrants were Western Slavic (Poles), Germanic (Germans), Jewish, Romanian (Walachians), Armenian and Turkish (Tartars, Karaites) people; they professed a variety of creeds – Catholicism, Orthodox Christianity, Gregorian Christianity, Mosaism (in its versions recognizing the Scripture together with the Talmud and rabbinic tradition, or the Scripture alone, i.e. Karaism) and Islam – they spoke Polish, German, Yiddish (a dialectic variety of German), Old Romanian (a Romance language), Kipchak and other Turkish dialects (Bashkiri), and used still other languages in their various liturgies (Latin, Old Church Slavic, Armenian, Hebrew and Arabic).

Multi-ethnic Society in the Light of Assimilation Theory

The heterogeneous nature of the society we are considering is described in historical literature as a mixture, a mosaic, kaleidoscope, inter-crossing or patchwork, while the cultural processes involved are characterized as acculturation, adaptation, amalgamation, homogenization, cultural diffusion, Occidentalization, Latinization, Polonization, or are described in terms of the melting pot metaphor borrowed from American social anthropology.¹² This terminology is not always used with sufficient precision and adequate care in distinguishing their respective semantic scopes. All the mentioned terms fit in the broader category of assimilation, defined in most general terms as a process leading to greater social homogeneity.¹³ The classical sociological definition of assimilation describes the process as one of 'interpenetration and fusion in which persons and groups acquire the memory, sentiments and attitudes of other persons or groups, and, by sharing their experience and history, are incorporated with them in a common cultural

¹² Polish historians have yet to conduct intense studies of cultural transformations in the multi-ethnic Red Ruthenian society in the Middle Ages. The first publications on the subject are of preliminary nature and still inadequate: Jan Orzechowski, *Okcydentalizacja Rusi Koronnej w XIV, XV i XVI w.*, in: *Państwo, naród, stany w świadomości wieków średnich*, Warszawa 1990, pp. 215-243; Franciszek Sielicki, *Polsko-ruskie stosunki kulturalne do końca XV wieku*, Acta Universitatis Wratislaviensis, no. 1834, Wrocław 1997.

¹³ Definitions of assimilation are analyzed by Milton M. Gordon in his *Assimilation in American Life. The Role of Race, Religion and National Origin*, New York 1964, p. 60 ff.

life.'¹⁴ Since the formulation of this definition in 1921, the concept of assimilation has profoundly developed in the course of intense anthropological, sociological and historical research aimed at arriving at a general theory of assimilation. Efforts to create a model of contact and interaction of various race, ethnic and religious groups, both in the past and now, are best evident on the grounds of American anthropology (Louis Wirth, W. Lloyd Warner, Leo Srole, Nathan Glazer, Daniel P. Moynihan).¹⁵ A breakthrough in the development of the assimilation theory came with the publication of Milton M. Gordon's theory of assimilation as a sequence of ethnic change involving seven stages. One of the most important propositions of this theory stems from the distinction of the first two of these stages, namely assimilation in the sphere of culture, and assimilation in social structure. The former, or cultural assimilation, consists in the adoption of various elements of the dominating society's culture (language, systems of values, religion, ideology, lifestyles and material culture), while the latter, known as structural assimilation, takes place when members of the ethnic group undergoing assimilation become part of the social, cultural and political organizations of the assimilating society.¹⁶

In this stage, members of the minority groups find places for themselves throughout the social and professional structure of society at large. Structural assimilation requires acceptance and permission to join groups, unions and associations of the assimilating society. This is one of two forms of incorporation, the other being cultural assimilation (or acculturation). If both forms are at work, we can expect to see complete assimilation. If only structural assimilation takes place and a high degree of inter-group contacts and participation in social structures of the dominant society is accompanied by a low degree of cultural assimilation and continuing cultural distinctness, we have to do with integration (sometimes described more forcefully as social integration). In this conceptual scheme, integration is the final product of structural assimilation which does not require the minority group to abandon its cultural heritage and assume new cultural attitudes. These latter transformations are the essence of a different assimilation process (or assimilation strategy), namely cultural assimilation, described also as acculturation.¹⁷

¹⁴ Robert E. Park, Ernest W. Burgess, *Introduction to the Science of Sociology*, Chicago 1921, p. 735.

¹⁵ A concise review of the various proposed conceptions can be found in the entry 'Assimilation and Pluralism' penned by Harold J. Abramson in the *Encyclopedia of American Ethnic Groups*, ed. by Stephan Thernstrom, Cambridge 1980, pp. 150-160.

¹⁶ Gordon, *Assimilation...*, p. 70 ff.

¹⁷ We assume acculturation to be as defined by the Social Science Research Council: 'Acculturation comprehends these phenomena which result when groups of individuals having different cultures come into continuous first-hand contact, with subsequent changes in the original cultural patterns of either or both groups' (Robert

The two processes differ in that structural assimilation leads to cultural assimilation, whereas cultural assimilation does not necessarily have to be accompanied by structural assimilation. We may have cultural assimilation even when no other assimilation process takes place, and the acculturation-only state may continue indefinitely.¹⁸ However, if acculturation is accompanied by structural assimilation, the situation inevitably leads to further stages of assimilation, namely amalgamation through exogamous marriage, identification with the accepting group, assimilation of attitudes consisting in the disappearance of prejudice, assimilation of behaviours consisting in the disappearance of discriminatory behaviours, and, finally, civic assimilation achieved with the cessation of conflicts over values and power between the group being assimilated and the dominant society.

A clear conclusion from these theoretical speculations is that the way in which heterogeneous societies composed of diverse ethnic groups will change depends ultimately on structural assimilation. If this is lacking, we will see an acculturation-only situation, or separation/segregation, or marginalization. If, on the other hand, structural assimilation were to appear and grow, then the way opens to integration and other, more profound assimilation processes. As the author of this theory puts it, 'structural assimilation, then, rather than acculturation is seen to be the keystone of the arch of assimilation.'¹⁹

Redfield, Ralph Linton, Melville J. Herskovits, *Memorandum for the Study of Acculturation*, 'American Anthropologist', N.S., 38, 1936, p. 149). This is still considered a fundamental definition, despite the subsequent criticisms and attempts to improve it.

¹⁸ In Gordon's treatment, acculturation is a phase of a broader-ranging assimilation process. Other authors propose other ways of differentiating the two terms. Some identify assimilation with acculturation, while others treat it as an extreme form of acculturation. The treatment of assimilation as a stage of acculturation (usually the final stage) is characteristic for anthropological treatments exploring the interactions of diverse ethnic groups primarily in terms of cultural processes. This is how Redfield, Linton and Herskovitz understood the two terms ('assimilation ... is at times a phase of acculturation'; *Memorandum...*, p. 149). Similar interpretations are to be found in John W. Berry, Ype H. Poortinga, Marshall H. Segall, Pierre R. Basen, *Cross-cultural Psychology: Research and Application*, Cambridge 1992, p. 271 ff.; John W. Berry, *Acculturation as Varieties of Adaptation*, in: *Acculturation. Theory, Models and Some New Findings*, ed. by Amado M. Padilla, Boulder 1980, pp. 9-25. On the other hand, the treatment of assimilation as a concept having a broader scope than acculturation is typical for sociological theories. This terminological discrepancy survives to our day, and substituting one term for the other may lead to confusion. Accordingly, we will be using them here in the sense given them by M. M. Gordon. We will be consistent in distinguishing acculturation (cultural assimilation) and social integration (a result of structural assimilation), treating both as elements of the broader concept of assimilation.

¹⁹ Gordon, *Assimilation...*, p. 81.

Gordon's theory is perhaps the most potent and influential attempt at a general theory of assimilation. This author reworked it thoroughly in 1975, retaining the basic distinction between cultural and structural assimilation, while reducing the other assimilation types to the marital and the identificational, and also broadening the scope of analysis to include the degrees of conflicts between groups and access to societal rewards.²⁰ Although much discussed and criticized (also on non-scientific and political grounds²¹), this theory hasn't so far been confronted with an equally authoritative rival theory.²² Recent years have seen the publication of Elliott Barkan's model in which assimilation involves six stages: contact, acculturation, adaptation, accommodation, integration and assimilation (in the strict sense of the term).²³ This model, although different than Gordon's, does not contradict it. Quite the opposite, in fact: Gordon's theory is the declared starting point for Barkan's model. Particularly telling is the similar treatment of integration²⁴ and the acceptance that it constitutes a critical point in the course of advanced assimilation: 'Integration is taking place when an ethnic group person becomes bilingual ...; moves beyond the boundaries of his or her ethnic community and begins to associate on a regular basis with members of the larger society (or other ethnic groups); participates in external organizations ..., is involved in the general political processes; and (depending on age) goes through some phase of the educational system ... The person who has begun to integrate has thus gained some acceptance from the larger society, has become bicultural, and has begun to crystallize dual (or multiple) identities. However, these transitional indices make it clear that the individual's ethnic identification persists, attachments to and participation within the ethnic group

- 20 Milton M. Gordon, *Toward a General Theory of Racial and Ethnic Group Relations*, in: *Ethnicity. Theory and Experience*, ed. by Nathan Glazer, Daniel P. Moynihan, Cambridge 1975, pp. 84-110.
- 21 In the 1960s and 1970s the assimilation theories were branded as politically incorrect. Revised in the 1980s and more recently, they have now re-emerged in American sociology and history (Russell A. Kaval, *Revisiting Assimilation: The Rise, Fall and Re-appraisal of a Concept in American Ethnic History*, 'American Historical Review', 100, 1995, 2, pp. 437-471).
- 22 Elisabeth A. Sommerland, John W. Berry, *The Role of Ethnic Identification in Distinguishing Between Attitudes Towards Assimilation and Integration of a Minority Racial Group*, 'Human Relations', 23, 1970, 1, pp. 23-29; Friedrich Heckmann, *Ethnische Minderheiten, Volk und Nation. Soziologie inter-ethnischen Beziehungen*, Stuttgart 1992, p. 176 ff.
- 23 Elliott R. Barkan, *Race, Religion, and Nationality in American Society: a Model of Ethnicity – from Contact to Assimilation*, 'Journal of American Ethnic History', 14, 1995, 2, pp. 38-76.
- 24 There are significant differences, however. Gordon clearly distinguishes integration from all the other assimilation phenomena – and indeed singles it out altogether – whereas Barkan includes in this concept certain symptoms of transformations in culture and identity.

may remain, and some primary relationships, including marriage, may still involve one's traditional community.'²⁵

Efforts to develop a consistent and universally applicable theory of ethnic relationships, whether based on the assimilation or cultural pluralism scheme, have clearly been losing momentum in recent years. Many of these theories, relying on observations of ongoing ethnic transformations in modern American society, have no direct application to situations taking place elsewhere or in different times. Critics see theoretical approaches as lacking the quality of general rules describing regularities, quite rightly pointing out that ethnic processes are in each case complex and unique. Nevertheless, it seems worthwhile to apply the conceptual apparatus and defined categories of the assimilation theory to describe, analyze and interpret the transformations of the late medieval society of Red Ruthenia, without first adopting any of the existing theoretical conceptions proposing universally applicable laws governing assimilation. Such an effort is worthwhile for at least two reasons. Firstly, it could introduce a measure of order in using terms borrowed from social sciences. These are sometimes employed in historical literature intuitively and in a superficial manner, which in turn may lead to semantic confusion and loss of precision in formulating theorems.²⁶ Secondly, the proposed study would add a promising new field of study to the existing research area. Historians have viewed the transformations of the multi-ethnic society of Red Ruthenia primarily in terms of acculturation (even if they referred to the process as assimilation), focusing on Polonization and Latinization, while largely ignoring structural assimilation processes. The distinction made between acculturation and structural assimilation, so strongly emphasized by Gordon, but already earlier noted by anthropologists²⁷ and universally accepted to this day,²⁸ requires these processes to be kept distinct and studied separately. It thus seems advisable and useful to apply the findings of assimilation theories which treat social integration phenomena as crucial in determining the direction and scope of changes in heterogeneous societies.

While remaining on the grounds of the assimilation theory and within its conceptual scheme, we shall be using the precisely defined terms peculiar

²⁵ Barkan, *Race, Religion, and Nationality...*, p. 6 of the HTML text made available by EBSCO Host.

²⁶ One could be sarcastic here and point out that social scientists are also guilty of tolerating a measure of chaos in their terminology; cf. footnote 18.

²⁷ Herbert J. Gans, *The Urban Villagers*, New York 1962; Erich Rosenthal, *Acculturation without Assimilation? The Jewish Community of Chicago, Illinois*, 'The American Journal of Sociology', 66, 1960, 3, pp. 275-288.

²⁸ Aleksander Posern-Zieliński, *Akulturacyja i asymilacja – dwie strony procesu etnicznej zmiany w ujęciu antropologii i etnologii*, in: *Procesy akulturacyj/ asymilacji na pograniczu polsko-niemieckim w XIX i XX wieku*, ed. by Witold Molik, Robert Traba, Poznań 1999, pp. 43-64.

to it, notably that of integration – which is here used in a different, much narrower sense than in everyday language, namely to generally describe processes of merging, unification, the creation of a whole out of separate parts.²⁹ Given that theoretical models of assimilation see structural assimilation and the resultant integration as playing a key role in transformations of multi-ethnic societies, we shall be taking a closer look at these two processes. As assimilation theory has it, integration is confined to the social structure. At a macro-social scale, we are taking here about a gradual incorporation of the group being assimilated into the existing strata of the assimilating society. Normally, an even and proportional dissolution in the entire absorbing structure never takes place. Various factors are at play here, including the social composition and cultural features of the assimilating groups, the openness of structures of the assimilating society and vertical mobility within this society. At a micro-social scale, structural assimilation consists of the elimination of social distances resulting from mutual foreignness of individuals. A minority group becomes structurally assimilated, i.e., integrated, when its distribution in the given social and territorial space is determined exclusively by factors responsible for the stratification of the given society as a whole.³⁰ This means that the ethnic factor in itself ceases to play a role in determining social stratification (provided it does not entail other significant diversifying factors). Differently put, we need to determine whether the social standing of an individual depends on his or her ethnicity. In reality, we will be determining the degree of this dependence, because complete dependence or complete lack thereof are model situations, marking the extremes which delimit a broad range of partial dependence. By exploring these issues we will be able to determine the degree of integration of the society of Red Ruthenia and the level of integration processes taking place in it.

To begin with, we need to look at the kinds of behaviours which characterized relations between the various ethnic groups in Ruthenia. Social psychologists distinguish two types of inter-ethnic behaviours: (i) the non-selective, when the fact of belonging to different ethnic groups does not affect mutual relations between people, and (ii) the selective, when individuals see foreignness as an important differentiating factor. There are various kinds of selective behaviours, namely, (1) competition and rivalry; (2) conflict and aggression, (3) segregation and discrimination, and (4) cooperation

²⁹ The polysemy of the term 'integration' is indicated in Marita Krauss, *Integration und Akkulturation. Eine methodische Annäherung an ein vielschichtiges Phänomen*, in: *Migration und Integration. Aufnahme und Eingliederung im historischen Wandel*, ed. by Mathias Beer [et al.], Stuttgarter Beiträge zur historischen Migrationsforschung, 3, Stuttgart 1997, p. 11 ff.

³⁰ Hieronim Kubiak, *Teoria, ideologia, polityka asymilacji. Szkic problemu*, in: *Założenia teorii asymilacji*, ed. by Hieronim Kubiak, Andrzej K. Paluch, Biblioteka Polonijna, 7, Wrocław 1980, p. 16 ff.

and amicable intermingling.³¹ The attitudes and behaviours of the diverse groups comprising the Ruthenian society must no doubt be classified as selective, i.e., sensitive to ethnic foreignness. However, the complexity of the ethnic situation in Red Ruthenia, by no means restricted to a simple division into majority and minority groups, requires a careful analysis, taking into account differences in mutual relations between the various groups.

Ethnicity vs. Religion

The chief factor determining the character of inter-ethnic relations in Ruthenia was the presence or absence of religious barriers between ethnic groups forming society at large. Worth recalling is that up until the Reformation period, Ruthenia was the only province of the Crown of Poland inhabited by homogeneously non-Catholic communities.³² An enormous importance was attached to religious affinity or strangeness between members of different groups. One's faith was an identifying factor much more potent than language, custom or tradition. Ethnic groups also displayed features of a religious community. Given this religious-ethnic configuration, it is easy to explain the facility and speed with which acculturation processes occurred between groups which did not have religious differences to cope with. Apart from the Polonization of Ruthenian social elites, the most profound acculturation changes occurring in society as a whole were the Polonization of German townspeople and Ruthenization of the Walachian rural population, both occurring within the same denominational community despite differences in language and traditions. In these cases there were separate acculturation melting pots, as it were, for the Catholic and the Orthodox Christian communities. The language barrier was of no consequence: intense inter-cultural contacts were not prevented by the chasm between the German and Polish languages, nor by the dissimilarity of the Romance language (spoken by the Walachians) and Ruthenian one belonging to the group of Eastern Slavic languages.³³ In contrast, there is no evidence of interactions between the Armenians, Karaites and Tartars, each representing a different

³¹ J. Harding, H. Prohansky, B. Kutner, I. Chein, *Prejudice and Ethnic Relations*, in: *The Handbook of Social Psychology*, ed. by Gardner Lindzey, Elliot Aronson, Reading, Mass. 1969, pp. 40-41, after: Renata Siemieńska, *Kategorie analizy przyczyn ruchów etnicznych*, 'Studia Socjologiczne', 1976, 2, p. 72.

³² Not counting, of course, the Jews in Lesser and Greater Poland living in diaspora. Cf. Janeczek, *Ethnische Gruppenbildungen...*, p. 401 ff.

³³ This observation fits well with the triple melting pot hypothesis formulated in the course of empirical studies of American society in the second half of the nineteenth and the first half of the twentieth century. According to this hypothesis, ethnic groups come to resemble each other in religious melting pots, with the extent of

religion, despite the fact that they all spoke Kipchak dialects, and that the latter two groups were also ethnically related.

Needless to say, acculturation did not stop at religious barriers. The mass-scale Polonization of the Orthodox Ruthenian boyars represented the effective surmounting of one such barrier. In cases such as this one, however, we see that acculturation of individuals professing a different faith has to involve also religious conversion as the necessary condition of acculturation. There were no cases of permanent ethnic-religious crossovers – no Catholic Ruthenians, Catholic Walachians, no Orthodox Poles or Orthodox Germans. (The Catholic Armenians were an entirely different case altogether, a vestige of an abandoned unification trend³⁴). The Ruthenization of the thinly scattered Polish peasantry (which, incidentally, we surmise rather than state with conviction³⁵) no doubt involved religious conversion. No complete acculturation is possible without conversion, except in cases when conversion is irrelevant (i.e., when the adopted culture is associated with the same creed as the abandoned one). This mechanism of acculturation changes preserved and reinforced the basically religious nature of the major cultural divisions in society at large.

The fact that no groups of a mixed religious and ethnic identity (retaining significant elements of traditional culture and converting to a new faith) evolved in Red Ruthenia indicates also that there can be no acculturation limited to conversion only and halting at the stage of adopting a different faith.³⁶ It would be hard to imagine such a fragmentary change in circumstances when creed was bound so closely to culture, when ethnic (national) identity was shaped to such a massive extent by the profession of the same faith. The absence of permanent ethnic ties cutting across religious divides does not of course mean that there were no temporary situations of this kind, e.g. when Ruthenians converting to Catholicism remained for a while longer within their old Ruthenian culture. Cases such as this were not an

assimilation processes being limited by religious barriers: 'A triple religious clearage rather than a multilinear national clearage, therefore, seems likely to characterize American society in the future' (Ruby Jo Reeves Kennedy, *Single or Triple Melting Pot. Intermarriage Trends in New Haven, 1870-1940*, 'American Journal of Sociology', 49, 1944, pp. 331-339). This prediction did not prove correct (cf. Ceri Peach, *Ethnic Segregation and Ethnic Intermarriage: a Re-examination of Kennedy's Triple Melting Pot in New Haven, 1900-1950*, in: *Ethnic Segregation in Cities*, ed. by Ceri Peach, Vaughan Robinson, Susan Smith, Athens, Georgia 1981, pp. 193-216), but the concept itself, however, is still being discussed.

³⁴ Stopka, *Armenia Christiana...*, p. 135 ff.

³⁵ This phenomenon in the period following the Brest Church union in 1596 is discussed in Józef Widajewicz, *Ruszczenie Polaków*, in: *Prace historyczne w 30-lecie działalności profesorskiej Stanisława Zakrzewskiego*, Lwów 1934, pp. 177-186.

³⁶ This dictum is relevant of course to Red Ruthenia in the Late Middle Ages and early modern times, and does not have to be true for other places and other periods.

indication of deliberate attempts to create a new, syncretic cultural model to be permanently adhered to, but rather evidence of the long time needed to affect change in one's consciousness, of an unstable bi-cultural state, a fluctuating sense of simultaneously belonging to two cultural traditions. Re-baptism could have been an event, whereas a remodelling of identity had to be a process, often lasting beyond the adult years of a single generation. This process took longer and was more difficult when conversion involved not just the adoption of a different denominational rite, but a switch from one religion to another (as was the case with neophyte Jews). Naturally, the theory that profound acculturation requires conversion, and that a true conversion unavoidably leads to acculturation does not mean that all changes taking place in the cultures of various ethnic groups had to involve the adoption of a different creed. In fact, intense interactions between different cultures which left their respective core values unaffected are perhaps the most characteristic feature of this vast civilizational frontier land that Red Ruthenia was. The cultural complexity of this world consists not only of the cohabitation of various ethnic groups and religious communities in the region, but also of the coexistence of diverse cultural heritages in individual consciousness.

What we in fact see that there was a partial overlapping of ethnic and religious divisions³⁷ as well as a polarization of differences and reinforcement of ethnic distinctions by the superimposed religious differences. This religious-ethnic coupling led to what may be called a nationalization of faith. The cases of Jews and Armenians are obvious: the Mosaism and Gregorianism of these ethnic groups were confined to them alone. Nationalization also befell Orthodox Christianity and Catholicism, and this was despite the supra-national character of these creeds. Evidence of this is the fact that an Orthodox church would sometimes be referred to as *ecclesia (sinagoga) Ruthenicalis*, while a Catholic one as *ecclesia Polonica*, or *kościół lacki* (Polish church); the Catholic creed would be denoted by *ritus Lachicus*, or *wiara lacka* (Polish creed), while Orthodox Christianity by *Ruthenismus*, or *fides Ruthenica*. Worth noting is the telling contamination of religious terms with ethnic qualifiers. The reverse also took place, with religious qualifiers being attached to ethnic terms, as in *natio catholica*, an expression used to describe the religious community of Poles, Germans, Italians and others in sixteenth-century Lviv.³⁸ Ethnic names took on an aggregate meaning, including also references to

³⁷ This claim, applied to the eighteenth century, was upheld by Zdzisław Budzyński, *Podziały wyznaniowe a etniczne na pograniczu polsko-ruskim w XVIII w.*, 'Rocznik Przemyski', 29-30, 1993-1994, pp. 215-233; id., *Ludność pogranicza polsko-ruskiego w drugiej połowie XVIII wieku*, I, Przemyśl – Rzeszów 1993, p. 337 ff.

³⁸ *Natio* is a semantically unstable term, not only as used in the Middle Ages, but also in its principal sense of national/state community; cf. Benedykt Zientara, *Populus – gens – natio. Z zagadnień wczesnośredniowiecznej terminologii etnicznej*, in: *Cultus et cognitio. Studia z dziejów średniowiecznej kultury*, Warszawa 1976, pp. 673-682; id., *Świt narodów*

faith.³⁹ Here again, the reverse was also true: faith categories were perceived and used also as ethnic categories. This is why Poles were being described as *Latini* and Ruthenians as *Graeci* (other 'Greeks' in the religious sense of the word were Walachians, Moldavians, Serbs, Macedonians, and of course the ethnic Greeks). This peculiar combination of ethnos and faith prompts one to view the ethnic and denominational-religious divisions of Red Ruthenia as in fact a single system composed of two tiers, as it were: (i) the creed, being of prime importance and featuring the divisions of foremost significance, and (ii) the ethnic, of secondary importance, where we see the less significant sub-divisions of society, never straying beyond the confines of the all-important religious affiliations. If we thus apply the religious ties criterion to the long list of ethnic groups inhabiting Ruthenia, we will end up with just four major categories: Catholics, Orthodox Christians, Gregorians and Jews – or even three, if we subscribe to the Latin point of view with its distinction of *catholici*, *scismatici* and *Iudei* (with this order reflecting the hierarchy prevailing in those days).

Ethnicity vs. Social Stratification

Coming back to the issues in the scope of structural assimilation, we must consider the relations between two structures newly emerged in Ruthenia in the late Middle Ages: the religious/ethnic structure, and the social structure. Both were hierarchical. If we look at the social structure in terms of estates, we will find that representatives of all the ethnic groups were to be found on all rungs of the social ladder. The glaring exception, of course, were the Jews, who remained virtually outside the society, constituting a separate quasi-estate. Partial exceptions included also the Armenians who were not to be found among peasants, and the Walachians who were extremely rare among townspeople (Fig. 1). The two latter exceptions were not the result of any bans or restrictions, but due to a natural distribution of professional and social roles among the two groups concerned. The estate divisions did not

europiejskich: powstawanie świadomości narodowej na obszarze Europy pokarolińskiej, Warszawa 1985, p. 19 ff., with detailed references (German translation: id., *Frühzeit der europäischen Nationen. Die Entstehung von Nationalbewußtsein im nachkarolingischen Europa*, Klio in Polen, 1, Osnabrück 1997).

³⁹ Latter-day descriptions of conversions from one rite to another (whether Roman Catholic or Greek Catholic) using ethnic terms sometimes sound truly bizarre. For example, individuals joining the Roman Catholic Church were referred to as 'new Poles' ('a Pole for three years now'; 'Poles who previously were Ruthenians'; 'a few years before his death he became a Pole'). A woman who twice switched from one rite to another was described as 'having become a Pole a second time'. All these examples from eighteenth-century sources are quoted in Budzyński, *Ludność pogranicza...*, p. 343 ff.

Ethnic group		Poles	Germans	Ruthenians	Walachians	Armenians	Jews
Religion		Catholic		Orthodox		Gregorian	Mosaic
Social estate	Nobles	Land law (<i>ius terrestre</i>) after 1433					
	Townsmen	Magdeburg law	Restricted Magdeburg law		Restricted Magdeburg law with autonomy		
	Peasants	German law	Ruthenian law				
			Walachian law				

Fig. 1. Socio-legal status of ethnic groups in Red Ruthenia

evolve into a caste system, the newly emerging society did not become organized into ethno-classes, although religious/ethnic factors did have some bearing on social stratification. Being a Catholic (Pole, German) or a Ruthenian did not prevent one from being a nobleman, townspeople or peasant.

Which of the two categories – religious/ethnic or estate – was the overriding one in the social status hierarchy? Were there spheres of social life in which being a Pole, Ruthenian, etc. was more valuable than being a nobleman, burgher or peasant? How strong were the estate ties between Ruthenian noblemen and Polish noblemen, between German and Polish townspeople, and Ruthenian and Armenian town dwellers in comparison to the ethnic ties between Ruthenian noblemen, peasants and townsmen (or, respectively, Poles, Germans and others belonging to the various social strata)? Membership in which group or ethnic or religious category carried more weight and emotional significance in attitudes and behaviours of individuals and groups?

These questions, relating to public and private consciousness as well as social and personal identity, cannot be answered with certainty. This is

because, firstly, ties become apparent only during conflicts and struggles for a common good; secondly, the various ties may exert a different influence depending on the plane of rivalry and dispute in each given case. When exploring the relative strength of ties and significance of distances – resulting either from religious/ethnic differentiation or from the estates order – we may do so by looking at inter-group transfers and asking whether it was easier to overcome ethnic or social barriers. Was conversion more common than progression from one estate to a higher one? In many cases these forms of inter-group migrations are inseparable, often intertwining and mutually assisting each other. Tackling the issue thus posed is also difficult because of the absence of relevant studies, and also because the available sources will not add sufficiently to our knowledge. Let us just note here that a relative ease in overstepping religious/ethnic barriers leads to cultural assimilation, while a situation whereby social barriers are easier to cross than the religious/ethnic ones leads to a segregational pluralism.

While examining the extent to which religious and ethnic differentiation influenced the diversification of Ruthenian society, we cannot fail to notice that the latter cannot be described in estate categories alone which, obviously, cannot account for the much more complex social stratification apparent in Ruthenia. A more detailed treatment of the diversity of social status and condition requires separate studies. The tentative assessment of the potency of various religious/ethnic factors affecting society at large that now follows will be limited to the three foremost milieus: nobility, townspeople and peasants.

Nobility: Participation and Pluralism

Noblemen attached the greatest importance to land property ownership rights and the scope of political rights given them as a group. The legally uniform status of the Polish gentry was transplanted to Red Ruthenia and adjusted to conditions of a newly composed noble estate of the province. The general tone of Polish internal policy in Ruthenia was set by Casimir the Great right after the conquest. The king did not challenge the boyars' rights to the property they held. The fact is that aside from the general pledge to respect religion, rights and customs, we know of no separate declaration guaranteeing the inviolability of ownership rights existing in Ruthenia prior to the conquest.⁴⁰ There is no doubt, however, that there was no intention in Poland's policy towards Ruthenia to invalidate the existing ownership titles.

⁴⁰ In the pact with Dymitr Detko, the provisional administrator (*capitaneus*) of Ruthenia, the king *praestito iuramento promisit, quod capitaneum et gentem praedictos in omnibus tueri debebat, ipsosque in eorum ritibus, iuribus et consuetudinibus conservare* (quoted after the 1341 papal bull – *Bullarium Poloniae*, I: 1000-1342, ed. by Irena Sulikowska-Kuraś, Stanisław Kuraś, Roma 1982, no. 1913).

Conditions of new land grants and the granted ownership rights were the same regardless of who was the beneficiary. King Casimir did not set about creating separate socio-legal categories for boyars, the Crown nobility settling in Ruthenia, or the Walachian knights migrating throughout the Carpathian region. The only case of boyar-owned property seizure we know of was by way of punishment for treason (*ab infidelitatem*): the landowners in question defected to the Lithuanians and perpetrated *plura mala crudeliter*.⁴¹ The recognition and equal status of boyar property with that of the Polish newcomers was an element of Casimir's overall policy towards Ruthenia, marked by prudence and tolerance, and not provoking opposition among the new subjects.⁴² The policy was manifest in specific cases in acts of recognition of the existing ownership rights, based either on documents issued by Ruthenian dukes (whether forged or real is another matter⁴³) or witness testimonials.⁴⁴ The boyars received the same estate predicate of *nobilis, terrigena*, their property was described as *hereditas*, held *iure hereditario*, in perpetuity, with the freedom of alienation of property and the customary entitlements.

The Ruthenian and Polish nobility quickly established neighbourly relations. In the land of Przemyśl, closest to the Crown lands and the first to be annexed, we have early evidence of a joint inspection of the borders of the properties of Ruthenian and Polish landowners in the castle district of Przemyśl.⁴⁵ This is proof of a rapid, almost instantaneous development of a supra-ethnic and supra-religious *communitas terrae* among the nobility. In 1387 the *communitas districtus nostri Przemisliensis*, consisting of *milites, clientes, advocatus, consules* and *cives* emerged as a single political entity. It was to this *communitas* that queen Hedwig addressed the act of incorporation of the land of Przemyśl

41 *Kodeks dyplomatyczny Małopolski* (henceforth: KDM), ed. by Franciszek Piekosiński, III, Kraków 1887, no. 739.

42 A matter-of-fact characteristic of this policy is to be found in Henryk Paszkiewicz, *Polityka ruska Kazimierza Wielkiego*, Warszawa 1925, p. 251 ff.

43 Confirmation of duke (*knaz'*) Lev's property grant to Jacek Słoneczko: *Zbiór dokumentów małopolskich* (henceforth: ZDM), I-VIII, ed. by Irena Sułkowska-Kuraś, Stanisław Kuraś, Wrocław 1962-1975, IV, no. 958, year 1358; to Chodko Matutejowicz – KDM III 737, year 1360; to Chodko Bybeliski – *Akta grodzkie i ziemskie z czasów Rzeczypospolitej Polskiej, z Archiwum tak zwanego bernardyńskiego we Lwowie* (henceforth: AGZ), I, ed. by Oktaw Pietruski, Lucjan Tatomir, Lwów 1868, no. 5, year 1361; to Matfiej Kadolfowicz – KDM III 743, year 1361.

44 ZDM IV 943, year 1352. A discussion of the preference given by Ruthenian noblemen to witness testimonials over documentary evidence is in Jurij Zazuljak, *Veri et perpetui terrarum Russie heredes: šljachi lehibytmaci' prav na zemel'nu vlasnist' sered rus'koi šljachty v seredyni XV st.*, 'Visnyk L'vivs'koho universitetu', ser. istoryčna, 34, 1999, pp. 95-107.

45 ZDM IV 943, year 1352: the perambulation and boundary definition was performed with *zemliany ruskiemi y laczkiemi obapolnemi przemyskiej wolosty*, i.e. with 'mutual Ruthenian and Polish landowners of Przemyśl district.'

into the Crown of Poland, pledging to respect the old laws and privileges there, and to appoint captains (*starosts*) from among *nisi Polonum vel Rutenum de nobili genere procreatum*.⁴⁶ The Catholic and Orthodox milieus together formed a single, cohesive community of local noblemen (*terrigenae*).⁴⁷ These *nobiles et terrigenae terrae Russiae*, regardless of their origin, religion or language, existed as collectively acting community, creating its own institutions of local government and country representation (*seymiks, parlamenta, conventiones particulares*).⁴⁸

Looking at the property donation policies in Ruthenia embarked upon by the successors of Casimir the Great – governor Vladislas of Opole, king Vladislas Jagiello and the latter's sons – we find no evidence of preferences or discrimination connected with ethnic origin or religion.⁴⁹ The inferior conditions of vassalage law grants had to be suffered by Polish, Ruthenian and Walachian noblemen alike. The *tempus iuris Ruthenicalis* lasting until 1434, restricting the nobility's privileges, depriving them of their own courts and preventing the emergence of a developed hierarchy of officials, applied territorially to noblemen of Red Ruthenia and not to noblemen of Ruthenian origin or Orthodox faith. The same is true of the Jedlna-Cracow privileges (1430-1433) which subjected the entire territory to Polish law, granting equal rights to the entire province.⁵⁰

Things were different in the Duchy of Lithuania, including the incorporated Ruthenian territories, following the granting of the Vilnius privileges in 1387. The Horodło treaty of 1413 granting Lithuanian boyars the rights of Polish nobility and leading to their adoption by Polish heraldic clans, applied only to Catholic families. The Orthodox boyars were denied equal privileges, as well as access to high offices and participation in the prince's council. This discrimination of Orthodox nobility through exclusion from the new privileges is interpreted in the literature as an attempt to foster an elite of Lithuanian Catholic families or to persuade Lithuanian boyars to convert to Catholicism.⁵¹ The gradual elimination of this discrimination of schismatic nobility lasted until 1563.

46 AGZ VII, ed. by Oktaw Pietruski, Ksawery Liske, Lwów 1878, no. 19.

47 The nobility of Przemyśl land consisting of Ruthenian, Polish and Walachian families was recently portrayed by Sergej S. Pašin in his genealogical study *Peremyślskaja šljachta vtoroj poloviny XIV – načala XVI veka. Istoriko-genealogičeskoe issledovanie*, Tjumen' 2001.

48 Henryk Chodynicki, *Sejmiki ziem ruskich w wieku XV*, Lwów 1906; Janusz Kurtyka, *Z dziejów walki szlachty ruskiej o równouprawnienie: represje lat 1426-1427 i sejmik roku 1439*, 'Roczniki Historyczne', 66, 2000, pp. 83-119.

49 Janeczek, *New authority...*, p. 86 ff.

50 Stanisław Kutrzeba, *Przywilej jedlneński z 1430 r. i nadanie prawa polskiego na Rusi*, in: *Księga pamiątkowa ku czci Bolesława Ulanowskiego*, Kraków 1911, pp. 271-301; Kurtyka, *Z dziejów walki szlachty...*, pp. 83-119.

51 Wiktor Czermak, *Sprawa równouprawnienia schizmatyków i katolików na Litwie (1432-1563)*, Rozprawy Akademii Umiejętności Wydziału Historyczno-filozoficznego,

The descendants of Ruthenian boyars in the Crown of Poland never experienced this kind of unequal treatment. In all lands of the Ruthenian voivodship, the nobility of Ruthenian origin is very much in evidence in the surviving sources, enjoying full ownership rights and access to offices, taking part in public life – no different in this respect from Polish nobility. Their property was on the whole recognized and they had full rights to it, even when they could not produce documents confirming their ownership. Long duration of ownership and inheritance from ancestors (*ab antiquo; pervetuste; ex atavis, avis et patribus*) were sufficient grounds for an entirely legitimate property ownership.⁵² Not so fortunate were the lesser, or servile, boyars who failed to join the ranks of the nobility and underwent degradation. To use a present-day media expression, they paid the social cost of transformation. According to estimates, in the fifteenth century the nobles of Ruthenian origin held at least one-third of landed property in the land of Lviv,⁵³ and it may probably be assumed that the figure was no lower also in the land of Chełm or land of Halyč.

One indication that this did not necessarily have to be so is the case of the Bełz duchy which was separated from Ruthenian lands incorporated into the Crown and granted to Mazovian princes in 1388. The first Mazovian ruler in this Ruthenian territory, Siemowit IV, must have embarked on a deep, radical reform of land ownership relationships already in the first stages of his rule over Bełz.⁵⁴ The boyars were denied their landed property rights and this sweeping expropriation led to an almost complete absence of nobles of Ruthenian origin in the nobility estate emerging in Bełz county in the

seria II, 19, Kraków 1903, pp. 348-405; Mychajlo Hruševs'kyj, *Istorija Ukraïny-Rusy*, V, L'viv 1905, p. 47 ff.; Kazimierz Chodynicki, *Geneza równouprawnienia schizmatyków w Wielkim Księstwie Litewskim*, 'Przegląd Historyczny', 22, 1919-1920, pp. 54-135; Jan Drabina, *Die Religionspolitik von König Władysław Jagiello im polnisch-litauischen Reich in den Jahren 1385-1434*, 'Zeitschrift für Ostforschung', 43, 1994, 2, pp. 161-173; Jerzy Strzelczyk, *Auf dem Wege zur Republik vieler Völker und Konfessionen. Katholiken und Orthodoxe in Polen im späten Mittelalter*, in: *Toleranz im Mittelalter*, ed. by Alexander Patschovsky, Harald Zimmermann, Vorträge und Forschungen, 45, Sigmaringen 1998, pp. 275-295.

⁵² Things were similar in Podlachia, the Ruthenian territory incorporated into Lithuania in the fourteenth century, where the boyars retained much of their long-standing property; cf. Alina Wawrzyńczyk, *Rozwój wielkiej własności na Podlasiu w XV i XVI wieku*, Wrocław 1951, p. 124 ff. See also Jan Adamus, *Z badań nad dzierżeniem w polskim prawie średniowiecznym*, Lwów 1933, p. 66 ff.

⁵³ Janeczek, *Polska ekspansja...*, p. 612.

⁵⁴ Janeczek, *Osadnictwo pogranicza polsko-ruskiego...*, p. 73 ff.; id., *Settlement of Polish-Ruthenian Borderland. County of Bełz from the Late Fourteenth Century to the Beginnings of the Seventeenth Century*, in: *Recent Doctoral Research in Economic History. Proceedings. Eleventh International Economic History Congress*, Milan 1994, pp. 19-27.

fifteenth century, composed predominantly of newly-settled Mazovian knights.⁵⁵

The specific case of the Bełz duchy under the rule of Mazovian princes aside, we see no significant systemic discrimination in access to property, nobility privileges and other estate rights, to offices and honours.⁵⁶ One indication of the openness of various institutions of the nobility estate to outsiders were adoptions by heraldic clans of Polish knighthood. Ruthenian-ness in the ethnic (genealogical) or religious sense was not an obstacle to joining regional nobility elites, although it could – especially in the latter half of the fifteenth century – hamper political careers. One minor difference between the two nobility groups, albeit important in matters of prestige, was the manner of taking the court oath: Ruthenians of all estates were required to swear on ring (*kolce*) of the handle to the Orthodox church door, while all the Catholic nobility swore on the cross (*recusabant ad colczą ecclesie Ruthenicalis iurare, sed voluerunt ad crucem sicut Christiani*⁵⁷). The courts were thus sometimes scenes of procedural debates, *qualiter nobiles Rutheni debent iurare an circa synagogam ipsorum vel circa crucem more terrestri*.⁵⁸

This is not to say there were no differences in material status or in access to honorary positions in the nobility community, possibly attributable to religious/ethnic factors. It is significant to note that Ruthenian or Walachian families which achieved wealth and careers were often those that underwent Polonization and converted to Catholicism. This characteristic division can be seen also within individual families: those family members who gave up their conservative attitudes and chose to abandon their traditional culture and faith, took part in the life of the nobility community, were economically active, became wealthier and attained a higher social status, whereas the other family members who stuck to the old ethnic and religious ties refrained from

55 The entourage of Siemowit IV was exclusively Mazovian – a telling fact; cf. Anna Supruniuk, *Otoczenie księcia mazowieckiego Siemowita IV (1374-1426). Studium o elicie politycznej Mazowsza na przełomie XIV i XV wieku*, Warszawa 1998. The entourage of Vladislav of Opole presented an entirely different picture, being composed of Silesian, Polish, Ruthenian and Hungarian nobles; cf. Aleksander Swieżawski, *Otoczenie ruskie Władysława Opolskiego*, *Prace Naukowe Wyższej Szkoły Pedagogicznej w Częstochowie*, Zeszyty Historyczne, 3, 1996, pp. 67-82; Pavel Jusjak, *Otočennja knjazja Vładyslava Opol'čyka v period joho pravlinnja na Rusi (1372-1379)*, 'Visnyk L'vivs'koho universitetu', ser. istoryčna, 34, 1999, pp. 81-93.

56 Maciej Wilamowski, *Powstanie i początki hierarchii urzędów ziemskich województwa ruskiego i Podola*, 'Roczniki Historyczne', 64, 1998, pp. 105-127, esp. pp. 122-124.

57 AGZ XIV, ed. by Oktaw Pietruski, Ksawery Liske, Lwów 1889, no. 1277; cf. Wojciech Hejnosz, *Fragmenty 'iuris Ruthenici' na Rusi Czerwonej pod koniec średniowiecza*, in: *Księga pamiątkowa ku czci Władysława Abrahama*, II, Warszawa 1931, pp. 279-295. The term *christiani* was notoriously being used in lieu of *catholici*, with the Orthodox Christians not normally included in the category of Christians.

58 AGZ XIII, ed. by Oktaw Pietruski, Ksawery Liske, Lwów 1888, no. 6899, year 1468.

public activity and remained less well-off. It would be wrong to interpret this situation in terms of reward for thorough acculturation. The mentioned benefits came with greater activity and openness, with bold and vigorous exploitation of new opportunities available to all of Ruthenian nobility. Rewards came for accepting integration, whereas a change of identity was neither essential nor of primary importance. We know examples of nobles achieving wealth and high social positions who never abandoned Orthodox Christianity or the culture of their ancestors. While admitting a certain measure of inequality which partly coincided with conservative attitudes, we must say there is nothing to indicate an institutional inequality arising from ethnic or religious circumstances. This situation is reminiscent of another country with a similar degree of ethnic/religious differentiation, namely Hungary. To quote András Kubinyi, 'alle adeligen Grundbesitzer des Landes, ob Rumänen, Serben, Slawonen, Slowaken oder Deutsche, galten als *nobiles Hungari*, und waren so *membra sacrae coronae*. Ihre sprachliche Zugehörigkeit war rechtlich unwichtig, ihre Abstammung uninteressant.'⁵⁹ Let us thus describe the nobility of Red Ruthenia as a community in an advanced stage of structural assimilation, and also considerably integrated, regardless of whether its individual members yielded to acculturation processes or retained their faith and ethnic characteristics.

The Town: Multiple Communes and Much Inequality

The towns in Red Ruthenia were all organized according to Saxon-Magdeburg law, the same that was resorted to earlier in the urbanization of Poland.⁶⁰

⁵⁹ András Kubinyi, *Zur Frage der Toleranz im mittelalterlichen Königreich Ungarn*, in: *Toleranz im Mittelalter...*, pp. 187-206, the quotation from p. 198 f.

⁶⁰ Richard Roepell, *Über die Verbreitung des Magdeburgischen Stadtrechtes im Gebiete des alten polnischen Reichs ostwärts der Weichsel*, Verhandlungen der Historisch-Philosophischen Gesellschaft in Breslau, 1, Breslau 1857; Michail F. Vladimirkij-Budanov, *Nemeckoe pravo v Pol'she i Litve*, Petersburg 1868; Alfred Halban, *Zur Geschichte des deutschen Rechtes in Podolien, Wolhynien und der Ukraine*, Berlin 1896; Dmytro Bahalij, *Magdeburskie pravo na Livoberežnyj Ukraïni*, in: *Rozvidky pro mista i miščanstvo na Ukraïni v XV-XVIII v.*, L'viv 1904; Raimund F. Kaendl, *Geschichte der Deutschen in der Karpathenländern*, I: *Geschichte der Deutschen in Galizien bis 1772*, Gotha 1907; id., *Zur Geschichte des deutschen Rechts im Osten*, 'Zeitschrift der Savigny-Stiftung für Rechtsgeschichte', Germanistische Abteilung, 40, 1919, p. 275 ff.; D. Dorošenko, *Das deutsche Recht in der Ukraine*, 'Zeitschrift für Osteuropäische Geschichte', 5, 1931, 4, pp. 502-520; Gertrud Schubart-Fikentscher, *Die Verbreitung der deutschen Stadtrechte in Osteuropa*, Forschungen zur deutschen Recht, 4.3, Weimar 1942; Andrij Jakowliw, *Das deutsche Recht in der Ukraine und seine Einflüsse auf das ukrainische Recht im 16.-18. Jahrhundert*, Leipzig 1942;

This law was not rooted in any systemic solutions tailored to multi-ethnic and multi-denominational organisms. German law was conceived and developed in a uniformly Catholic environment, and its legal norms and customs were organically steeped in Catholicism, imbued also with the negative attitudes prompting social exclusion of religious dissenters. The simultaneous application of a single and the same corporational municipal system to groups representing very different cultures was initially unrealistic: to include such people in the *communitas*, in the sworn association (*coniuratio*), and to treat them as *conciues*, *Mitbürger*, *unsere Brüder* would be irritatingly incompatible with the foundations of social order from which sprang the *ius Theuthonicum*. The municipal system provided for by German law was uniform, simple, single-communal, not adapted to dealing with the distinctness and complexity of any autonomous community inhabiting the town alongside its other dwellers. The result of this was that non-Catholic groups found themselves on the fringes of or entirely outside German law.⁶¹

The location (*locatio*) of a town (foundation of a new urban commune) – a new or an already existing centre, inhabited by an indigenous population or foreign groups of merchants and artisans – entailed significant legal, social and spatial changes. The location defined an area to be governed by German law. In this way the *ius Theuthonicum* ceased to be a law applying to the arriving groups and became a law governing a defined territory. With the spatial location complete, the town developed as a single organism, densely built-up within precisely defined borders. Its organization became uniform, the Occidental commune assumed a privileged status – and the scene was set for the discrimination of all other communities. The latter lost their sovereignty and were incorporated in the new order, having to content themselves with the status of residents rather than citizens (*incolae*, *suburbani*).⁶² As the German law commune consolidated its organizational structures, its systemic dominance over all the other town dwellers increased. The legal status of non-Occidental and non-Catholic townspeople as well as their freedom of residence, access to official positions and professional practice

V. D. Otamanovskij, *Razvitie gorodskogo stroja na Ukraine v XIV-XVIII vv. i magdeburgskoe pravo*, 'Voprosy istorii', 1958, 3, pp. 122-135; A. K. Švidko, *Sovetskaja istoriografija o suščnosti i roli nemeckogo prava v gorodach Ukrainy XV-XVIII vv.*, 'Voprosy germanskoj istorii i istoriografii', 1975, 3; A. Ju. Dvorničenko, *O predposylkach vvedenija magdeburgskogo prava v gorodach zapadnorusskich zemel v XIV-XV vv.*, 'Vestnik Leningradskogo gosudarstvennogo universiteta', Istorija. Jazyk. Literatura, 1982, 1, pp. 105-108.

⁶¹ Andrzej Janeczek, *Miasta Rusi Czerwonej w nurcie modernizacji. Kontekst reform XIV-XVI w.*, 'Kwartalnik Historii Kultury Materialnej', 43, 1995, 1, pp. 55-66.

⁶² A separate issue, which continues to be an object of debate in the literature, is whether the Ruthenians in Lviv were subject to Ruthenian law because their community retained its distinctness, or because their status was that of inhabitants lacking full rights; cf. Hejnosz, *Fragmenty 'iuris Ruthenici'*..., p. 4.

underwent restrictions, usually through locally binding regulations issued by the town authorities. The series of German law privileges with the *exceptis schismaticis* clause granted by king Vladislas Jagiello (and prince Vytautas in the Duchy of Lithuania) which did not apply to non-Catholic settlers are examples of centrally-imposed limitation coming from the monarch, but these were not applied consistently and were eventually abandoned.⁶³

The privileges most important to the townspeople included subjection to Magdeburg law, eligibility to full citizenship, participation in local self-government structures, access to economic concession (including trading licenses, rights to practice professions, to form professional corporations, and freely trade in real estate). These issues became topical with the spread and territorialization of German law in the reign of king Casimir and the Jagiellonians. In the form it took it came to be perceived not as a foreign law applicable to specific groups, but rather as a privilege benefiting some while condemning others to marginalization. The extension of Magdeburg law or the exclusive granting of privileges to *natio catholica* were a direct consequence of local power divisions or of the will of town owners. Diverse arrangements spread throughout Red Ruthenia in the sixteenth century. The regulations varied widely, ranging from expulsion and complete ban on settlement (applied mainly to Jews), through arrangements restricting the applicability of Magdeburg law and access to municipal positions, and also imposing economic restrictions,⁶⁴ all the way to compromise solutions, involving for example the extension of Magdeburg law to non-Catholic groups and parity of representation in municipal and guild authorities.⁶⁵ The same can be said of conflicts in day-to-day life arising out of differences in religion and custom (e.g. the form of liturgy of oaths required under Magdeburg law, mutual observance of fasts and feast days, funeral processions through towns,

⁶³ Andrzej Janeczek, *Exceptis schismaticis. Upośledzenie Rusinów w przywilejach prawa niemieckiego Władysława Jagiełły*, 'Przegląd Historyczny', 75, 1984, 3, pp. 527-542.

⁶⁴ These restrictions usually applied to trade conditions, licensing of certain production activities, and rights to produce and trade in alcoholic beverages. The situation in Lviv was described by Łucja Charewiczowa, *Ograniczenia gospodarcze nacji schizmatyckich i Żydów we Lwowie XV i XVI wieku*, 'Kwartalnik Historyczny', 39, 1925, 2, p. 193 ff., also separately, Lwów 1925. See also the recent study by Myron Kaprał, *Nacional'ni bromady L'vova XVI-XVIII st. Social'no-pravovi vzajemyny*, L'viv 2003.

⁶⁵ Iwo Jaworski (*Studia nad ustrojem miast na prawie niemieckim w Wielkim Księstwie Litewskim w dobie jagiellońskiej*, Wilno 1931, the offprint from 'Wileński Rocznik Prawniczy', 1931, p. 12 ff.) and Juliusz Bardach (*Miasta na prawie magdeburskim...*, p. 26 ff.) cite examples of compromises of this kind between Catholics and Orthodox Christians in towns of the Grand Duchy of Lithuania, while Zofia Kulejewska-Topolska describes the regulations in Greater Poland resolving the issue of Evangelical and Catholic representation in the city authorities in modern times (Zofia Kulejewska-Topolska, *Nowe lokacje miejskie w Wielkopolsce od XVI do końca XVIII wieku. Studium historyczno-prawne*, Poznań 1964, pp. 75-77). Hungarian towns with their pronounced

manner of carrying the viaticum in the streets, and other ceremonies of prestigious character). Conflicts of this kind were resolved through regulations reflecting the local situation. The complete elimination of religious and ethnic barriers was still some way off.

Segregation regulations led to the emergence of ethnic districts and streets in urban space, functioning as spaces given over to distinct groups, where members of these groups were allowed to reside. Ethnic divisions were very pronounced in Ruthenian towns.⁶⁶ Communal and social institutions of the same kind but serving different ethnic groups sat side by side: churches of course, but also hospitals, schools, cemeteries, guild and fraternity houses – and even separate bathhouses, slaughterhouses, butcher stalls and bakeries operated by Jewish communes. The radically segregational model of ‘double’ towns (such as the Polish/Catholic and Ruthenian towns in Podlachia) or even triple towns (e.g. the Catholic/Armenian/Ruthenian Kamjanec in Podolia), each divided into spatially distinct and separately organized municipal areas,⁶⁷ never became popular in Red Ruthenia.

Despite the trend towards the elimination of the segregational model, towards a purely territorial applicability of municipal law and the elimination of its elitist character, despite emancipation efforts by discriminated groups, the religious/ethnic factor remained among the most potent determinants of social stratification of all groups inhabiting towns.⁶⁸

- ethnic mix had parity-based authorities since the fourteenth century (András Kubinyi, *Ethnische Minderheiten in den ungarischen Städten des Mittelalters*, in: *Städtische Randgruppen und Minderheiten*, ed. by Bernhard Kirchgässner, Stadt in der Geschichte, 13, Sigmaringen 1986, pp. 183-199, esp. p. 189 ff.; id., *Die Zusammensetzung des städtischen Rates im mittelalterlichen Königreich Ungarn*, in: id., *König und Volk im spätmittelalterlichen Königreich Ungarn*, Studien zur Geschichte Ungarns, 1, Herne 1998, pp. 103-123). This arrangement was also in evidence in Bohemian towns (František Šmahel, *Výsledky a výhledy výzkumu národnostní skladby českých měst od konce 13. do počátku 15. století*, in: *Národnostný vývoj miest na Slovensku do roku 1918*, ed. by Richard Marsina, Martin 1984, pp. 239-254).
- ⁶⁶ Jaroslav R. Daškevič, *Armjanské kvartály stredovekých gorodov Ukrajiny (XIV-XVII vv.)*, ‘Istoriko-filologičeskij žurnal. Akademija nauk Armjanskoj SSR’, 1987, 2, pp. 63-85, 3, pp. 48-60; Andrzej Janeczek, *Ulice etniczne w miastach Rusi Czerwonej w XIV-XVI wieku*, ‘Kwartalnik Historii Kultury Materialnej’, 47, 1999, 1-2, pp. 131-147; Jerzy Motylewicz, *Ulice etniczne w miastach ziemi przemyskiej i sanockiej w XVII i XVIII wieku*, *ibid.*, pp. 149-155.
- ⁶⁷ Analogies of such towns can be seen in Hungary (e.g. Kubinyi, *Ethnische Minderheiten...*, p. 188 ff.).
- ⁶⁸ Jerzy Motylewicz, *Spółeczność miejska a grupy narodowościowe w miastach czerwonoruskich w XV-XVIII w. Problem przemian i trwałości więzi społecznej*, in: *Miasto i kultura ludowa w krajach Białorusi, Litwy, Polski i Ukrainy*, ed. by Jerzy Wyrozumski, Kraków 1996, pp. 91-103; Józef Półciwiatek, *Miejsce religii w kształtowaniu oblicza etnicznego społeczności miast południowo-wschodnich obszarów Rzeczypospolitej w czasach nowożytnych*, *ibid.*, pp. 211-230.

Red Ruthenian towns in the late Middle Ages developed and retained a system of inequality based on religious/ethnic stratification.⁶⁹ Unequal treatment extended to fundamental spheres of personal, professional and social life, to mention just freedom of settlement, eligibility to civic rights, participation in self-government organizations, right to own personal property, freedom of economic activity, or the right to manifest one's distinct religion. Compared to other communities, the towns were the most socially diverse, contacts within the restricted city confines were the most intense, the ethnocentrism very pronounced, with the inequalities and the imposed segregation and discrimination being demonstrated on a daily basis. All this had to result in a state of particularly high tension, sometimes boiling over in the event of a clash of group interests. Ethnic antagonisms – and religious antagonisms in particular – surfaced most often in towns dominated by the Occidental group, assuming the form of conflicts of primarily economic nature. Members of the discriminated non-Catholic communities in such towns could either convert and thereby undergo individual acculturation, or take group action to demand emancipation. However, in towns where the Catholic patricians failed to seize complete power, segregation and discrimination were not as severe and the various communes coexisted in greater harmony.

The Countryside: Ethnicity Petrified

Extremely little can be said of the rural communities which were only partly affected by the modernization processes. Three rural systems coexisted in Red Ruthenia. Two of them were newly-introduced along with the colonization and intensification of the old settlement: the German law system characteristic for farming settlements, and the Walachian law system governing settlements engaged in pastoral agriculture. Functioning alongside the two

⁶⁹ In other urbanization zones based on German law (whether the Magdeburg, Lübeck or Hamburg), the division between the burghers enjoying full rights and 'second-rate' city dwellers coincided with the distinction between Germans and non-Germans (Slavs, Balts, Hungarians), cf. Otto Ahlers, *Die Bevölkerungspolitik der Städte des wendischen Quartiers der Hanse gegenüber Slawen*, Berlin 1939; Vilho Niitemaa, *Die Undeutsche Frage in der Politik der livländischen Städte im Mittelalter*, Annales Academiae Scientiarum Fennicae, ser. B, 64, Helsinki 1949; Wolfgang Zorn, *Deutsche und Undeutsche in der städtischen Rechtsordnung des Mittelalters in Ost-Mitteleuropa*, 'Zeitschrift für Ostforschung', 1, 1952, 2, pp. 182-194; Paul Johansen, *Heim von zur Mühlen*, *Deutsch und Undeutsch im mittelalterlichen und frühneuzeitlichen Reval*, Reval 1973; Manfred Hellmann, *Gilden, Zünfte und Ämter in den livländischen Städten unter besonderer Berücksichtigung der "Undeutschen"*, in: *Festschrift für Berent Schwinekörper zu seinem siebzigsten Geburtstag*, ed. by Helmut Maurer, Hans Patze, Sigmaringen 1982, pp. 327-335.

colonization systems (German and Walachian) was the customary Ruthenian law with its numerous archaic social categories.⁷⁰ However, the impact of German law institutions must have spread far beyond the villages that were granted the privilege of using this law. Villages governed by Ruthenian law doubtless adopted some regulations and reforms which, while leaving the legal customs of old intact, led to a modernization of economic structures, making them resemble more closely the post-colonization rural system prevailing in the original Crown lands. The manorial economy development which gathered momentum since the end of the fifteenth century, coupled with the expansion of serfdom, led to a unification of the existing diverse rural systems and the emergence of a single *corvée* labour village model.⁷¹ The obliteration of differences was not the result of wishes of rural communities aspiring to a different status, but rather stemmed from economic transformations and changing forms of exploitation of subjects by the great landowners.

The distinct colonization laws quickly lost their ethnic character. The German law, indispensable in colonization by Catholic Poles and Germans, was also adopted, partly or in full, by Ruthenian villages. The restriction of this law to Catholics only, with the exclusion of schismatics, was no more than an episode confined to the rule of king Jagiello.⁷² German law was on occasion rejected by Ruthenian communities fearing that its adoption would reduce their existing status (*nollentes esse sub iure Theutunicali ... nos sumus locati ad ius Ruthenicum na syrowym korzenyw* – meaning ‘from the very start’, *in cruda radice*).⁷³ The Walachian law was not, strictly speaking, a group law governing an ethnic community, but rather of a socio-economic organization of a Walachian/Ruthenian group of semi-nomadic animal breeders, undergoing Ruthenization with the aid of a shared religion. The legal regulations determining the status of peasants do not coincide precisely with the peasants’ creed/ethnos. A direct relationship of this kind is most certainly apparent in the case of Occidental colonists and German law: the groups migrating from

70 Ivan A. Linniĉenko, *Čerty iz istorii soslovij v Jugo-zapadnoj (Galickoj) Rusi XIV-XV v.*, Uĉenje zapiski imperatorskogo Moskovskogo universiteta, otdel istoriko-filologičeskij, 20, Moskva 1894, p. 72 ff.; Franciszek Persowski, *Osady na prawie ruskim, polskim, niemieckim i wołoskim w ziemi lwowskiej*, Lwów 1926; Wojciech Hejnosz, *Ius Ruthenicale. Przejtyki dawnego ustroju społecznego na Rusi Halickiej w XV wieku*, *Studia nad historią prawa polskiego*, 12.1, Lwów 1928; George Vernadsky, *The royal serfs (servi regales) of the ‘Ruthenian law’ and their origin*, ‘Speculum’, 26, 1951, 2, pp. 255-264; Boris D. Grekov, *Krest’jane na Rusi s drevnejšich vremen do XVII veka*, I, Moskva 1952.

71 Hruševs’kyj, *Istorija Ukraïny-Rusy*, V, p. 380 ff.

72 Janeczek, *Exceptis schismaticis...*, p. 527 ff.

73 AGZ XIV 1106; *nos noluimus sedere in iure Theutunico, quia consuevimus sedere in iure Ruthenico* – *ibid.*, no. 1107. This was no commonplace resistance to novelties. The two quotes refer not to ordinary peasants but to royal huntsmen who belonged to the servant class.

the West as a rule never settled on the basis of any other law. The Ruthenian law meanwhile applied to indigenous Ruthenians, while Walachian law to Ruthenians and migrating Walachians. Integration process must thus be seen to include the adoption of elements of German and Walachian colonization laws by indigenous populations, the absorption of Walachian pastoral groups into Ruthenian rural communities, the permanent settlement of these groups and their switch to agriculture, as well as all attempts to move out of villages to towns or town suburbs. All this led to an abandonment of the archaic socio-legal categories handed down by tradition, and the gradual adoption of the more modern organization of a farming village or location (chartered) town. In the case of isolated rural communities, shunning interactions with different religious groups and rivalry, and displaying a rather flat social stratification, the creed/ethnic factor could not have stimulated internal differentiation, and could not have affected social diversification. This factor served as nothing more than a marker differentiating the locals from the outsiders.

A Society of Various Opportunities for Integration

The above tentative assessment of the significance of the ethnic and religious factors in the new Red Ruthenian society that emerged in the late Middle Ages reveals a mechanism of socio-cultural transformations resulting from the incorporation of this territory into Poland, a massive inflow of foreign migrants, reception of new socio-economic systems, and the pressure of Occidental solutions. The new Red Ruthenian society as a whole was formed by a fusion of diverse groups of different status, embracing distinct traditions and organizations, into a single socio-political system. This process is described using two elementary concepts borrowed from the assimilation theories, namely structural assimilation (integration) and cultural assimilation (acculturation). Within the framework of these two concepts, the Red Ruthenian society can be seen as divided into three main categories:

1. The nobility, subject to rapid, effective and far-reaching integration, as well as unfettered and intense acculturation, prompted by the appeal of Polish culture. The acculturation processes were most profound among numerous members of this social stratum, extending to marriage and identification assimilation, the assimilation of attitudes and behaviours, and reaching all the way to civic assimilation, evidence of which is the emergence of a single Polish political nation of noblemen and the development of a single, shared statehood consciousness.⁷⁴ Assimilation was hampered and limited

⁷⁴ The concept of the Polish political nation, defined not by ethnicity, language or religion, but by citizenship, political identity and membership in the noble estate, has been widely accepted in contemporary historiography following Stanisław Kot's

in scope by conservative attitudes among some of the Ruthenian and Walachian nobility who were unwilling to part with their religion, language and traditions, reluctant to cross the endogamy barrier, who represented an inferior wealth status and were often burdened with servile obligations towards the castle organization and the captain administration. It must be said, however, that the inferior social status of these groups was not a consequence of ethnic and cultural differences, but rather of their inferior economic standing and servile subordination. Generally speaking, we see no evidence of ethnic, cultural or religious segregation among the nobility. Instead, there may have emerged a kind of egalitarian cultural pluralism, a system tolerating indigenous cultural elements in a structurally integrated community, recognizing the equal status of cultures and religions on the plane of political system and social status. While Polish culture (or, more generally, Latin culture) and Catholicism naturally occupied a superior position, people representing a different culture or religion were not branded as inferior in the public domain, i.e., in law, politics and economy. Accordingly, both assimilation and pluralism, while theoretical opposites, may be useful in describing the emergence of the nobility society in Red Ruthenia of the late Middle Ages.

2. The towns were places where integration was slowed down by groups in charge of the Catholic communes. Social order in towns was based primarily on segregation of non-Catholic ethnic groups. This segregation, reflected in legal, institutional and cultural norms, was also apparent in the spatial arrangement of towns, featuring streets and districts set aside for groups denied full burgher status. The way out of this unequal treatment and discrimination led either through individual forced acculturation through conversion, or joint efforts by the discriminated ethnic/religious groups to win privileges and licenses, and to achieve or consolidate their autonomy. Segregation policies were particularly harshly applied to Jews, whose very presence and economic activity in towns was at best barely tolerated and strictly controlled, or else prohibited entirely.

3. The rural communities were relatively the least diversified, with integration processes hindered most by the isolationism and traditionalism of

classic essay *Świadomość narodowa w Polsce w. XV-XVII*, 'Kwartalnik Historyczny', 52, 1938, 1, pp. 15-32; see for example: Janusz Tazbir, *Recherches sur la conscience nationale en Pologne au XVI^e et XVII^e siècle*, 'Acta Poloniae Historica', 14, 1966, pp. 5-23; id., *Die Polonisierungsprozesse in der Adelsrepublik*, *ibid.*, 55, 1987, pp. 5-40; Konstanty Grzybowski, *Ojczyzna – naród – państwo*, Warszawa 1970; Benedykt Zientara, *Kilka uwag o narodzie politycznym w średniowieczu*, in: *Pojęcie 'Volk' i 'Nation' w historii Niemiec*, ed. by Antoni Czubiński, Poznań 1980, pp. 183-185. For the most recent critique of this concept, based on the textual analysis of two expressions: *naród szlachecki* ('the noble nation') and *gente Ruthenus, natione Polonus*, see David Althoen, 'Natione Polonus' and the 'Naród Szlachecki'. Two Myths of National Identity and Noble Solidarity, 'Zeitschrift für Ostmitteleuropa-Forschung', 52, 2003, 4, pp. 475-508.

these communities. The acculturation processes in the countryside were the opposite of what was taking place in the other social milieus: rather than Latinization and Polonization processes, we see there Ruthenization of Wallachians and of the scattered newcomers from the West, along with a consolidation and strengthening of Orthodox Christianity. The relative homogeneity of isolated plebeian communities – mostly Ruthenian and Orthodox Christian, with Catholic communities confined to the western territories of Red Ruthenia and scattered enclaves elsewhere – did not prompt segregation solutions. The gradual unification of the rural socio-economic system and the blurring of differences between the various settlement laws did not trigger any great rivalry for different status or privilege. This kind of rivalry was apparent on a limited scale in the fleeing of subjects to villages based on a different settlement law and in migrations to towns.

Red Ruthenia, a land of many peoples and cultures interacting with one another,⁷⁵ offered a variety of opportunities to participate in the shaping of a new society in the late Middle Ages. The different course of assimilation processes in each of the three social milieus must be seen as an important feature of transformations in the long run, right up to modern times. Members of the same ethnic group belonging to different social milieus benefited from different opportunities for integration and achieving a status equal to that enjoyed by the dominant group. These opportunities were the greatest in the case of noblemen, and the worst in towns. Paradoxically, it was the nobility condition – the most privileged status – that was at the same time the most open, not restricted by considerations of ethnos or religion. The Ruthenian village, the least affected by Western migrations, not aspiring to adoptions of foreign cultural patterns, fell by the wayside of transformations.⁷⁶ The specific socio-ethnic composition of Red Ruthenia is due to the coincidence of Ruthenian-ness and peasant-ness apparent in most of its territory.⁷⁷

⁷⁵ Christophe von Werdt, *Halyč-Wolhynien – Rotreußen – Galizien: Im Überlappungsgebiet der Kulturen und Völker*, 'Jahrbücher für Geschichte Osteuropas', 46, 1998, 1, pp. 69-99; Thomas Wunsch, *Ostsiedlung in Rotrußland vom 14.-16. Jahrhundert – Problemaufriß für die kulturgeschichtliche Erforschung eines Transformationsprozesses in Ostmitteleuropa (mit besonderer Berücksichtigung der terra Halicz)*, 'Österreichische Osthefte', 41, 1999, 1, pp. 47-82.

⁷⁶ Cf. the similar findings in Paul R. Brass, *Ethnic Groups and Nationalities*, in: *Ethnic Diversity and Conflict in Eastern Europe*, ed. by Peter F. Sugar, Santa Barbara 1980, pp. 1-19, 447-456, esp. pp. 14-17; id., *Ethnic Groups and Ethnic Identity Formation*, in: *Ethnicity*, ed. by John Hutchinson, Anthony D. Smith, Oxford 1996, pp. 85-90.

⁷⁷ A more general opinion about the significance of interferences between ethnic and social differentiation for the permanence of ethnic arrangements was formulated by Daniel Bell, *Ethnicity and Social Change*, in: *Ethnicity. Theory and Experience*, ed. by Nathan Glazer, Daniel P. Moynihan, Cambridge 1975, pp. 141-174.