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Michel Pauly

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du moyen âge à nos jours

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Partizipation vom Mittelalter bis heute

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Michel PAULY

Libertés et citoyenneté urbaines du Moyen Âge à nos jours

Introduction

Augustin Thierry (1795–1856) écrit en 1853 dans son „Essai sur l'histoire ... du Tiers État“: « La série de révolutions municipales du XII^e siècle offre quelque chose d'analogue au mouvement qui, de nos jours, a propagé en tant de pays le régime constitutionnel. ... Là se développent et se conservent isolément des institutions qui doivent un jour cesser d'être locales, et entrer dans le droit politique ou le droit civil du pays. ... La bourgeoisie, nation nouvelle dont les moeurs sont l'égalité civile et l'indépendance dans le travail, s'élève entre la noblesse et le servage, et détruit pour jamais la dualité sociale des premiers temps féodaux. Ses instincts novateurs, son activité, les capitaux qu'elle accumule sont une force qui réagit de mille manières contre la puissance des possesseurs du sol, et, comme aux origines de toute civilisation, le mouvement recommence par la vie urbaine » pour gagner à leur tour les « classes agricoles »¹. En 1970 encore Karl Bosl prétend dans le tome 9 du manuel d'histoire allemande de Gebhardt²: „Städte (waren) Träger der Selbstverwaltung ... ja Wiege des modernen Staatsgedanken und der freien Demokratie.“

45 années après le colloque de Spa, en 1966, sur „Les libertés urbaines et rurales du XI^e au XIV^e siècle“, où Fernand Vercauteren cita également Augustin Thierry³, la Commission internationale pour l'Histoire des villes (CIHV) a trouvé qu'il était temps de faire le bilan de nos connaissances concernant les libertés urbaines et la participation citoyenne. Grâce à la nature de cette Commission qui rassemble des historiens de la ville de pratiquement tous les pays d'Europe et de quelques pays d'outremer, il a été possible d'élargir grandement le champ géographique de la recherche en matière d'autonomie et libertés urbaines et de participation des citoyens à l'administration de leur ville. Il est vrai que la composition et la manière de fonctionner de la Commission explique les richesses et les limites du présent volume. Les

¹ Augustin THIERRY, *Essai sur l'histoire de la formation et des progrès du Tiers État*, Paris, 1853 (réimpr. Genève [1977]), pp. 20–21.

² Karl BOSL, *Staat, Gesellschaft, Wirtschaft im deutschen Mittelalter* (Gebhardt Handbuch der deutschen Geschichte (édition dtv), Bd. 7), Munich, 1973, p. 193. Traduction m. p.: Les villes étaient les porteurs de l'autonomie administrative ..., oui, elles constituaient le berceau de l'idée moderne d'État et de démocratie libérale.

³ F[ernand] VERCAUTEREN, Les libertés urbaines et rurales du XI^e au XIV^e siècle, in *Les libertés urbaines et rurales du XI^e au XIV^e siècle*. Colloque international, Spa 5–8 IX 1966, Actes (Pro Civitate, collection Histoire in-8°, t. 19), Bruxelles, 1968, pp. 13–25.

Zdzisław NOGA

Municipal Liberties and the Pursuit of Power in the Polish Cities in the Middle Ages and Early Modern Times – a historiographical overview

The Polish cities of the feudal period met the definition laid down by Max Weber for Western European cities (1. walls, 2. market square, 3. judiciary, or at least partial autonomy in law, 4. autonomy). Cities in Poland gained autonomy with the introduction of German law, that is, in the first half of the thirteenth century.

Initially, charters had been given to royal cities; then the Church and the nobility began to locate their own cities, too. The cities owned by the nobility are called „private“ in Poland. In this paper I am going to depict views of Polish historians on the subject of the burgher estate and municipal liberties in Medieval and Early Modern Poland. In the first section I intend to outline the views of historians on the relationship between cities and the state power. Depiction of these views obligates me to clarify many unknown political questions related to Polish cities in the past. In the second part I will take up the issue of freedom within the municipalities and the participation of citizens who were not members of the City Council in the exercise of power. For this I use Krakow as an example.

I. Cities and rulers

There are just two main historical studies on Polish cities: the first one written before the Second World War by Jan Ptaśnik, a native of Lviv, and the second one co-authored by Maria Bogucka and Henryk Samsonowicz, published in 1986.¹ Along with a series of more detailed local studies, both of these works examined the question of municipal liberties, but there has yet been no monograph devoted exclusively to the subject.²

¹ Jan PTAŚNIK, *Miasta i mieszczaństwo w dawnej Polsce* [Cities and Bourgeoisie in Medieval and Early Modern Poland], Kraków, 1934; Maria BOGUĆKA & Henryk SAMSONOWICZ, *Dzieje miast i mieszczaństwa w Polsce przedrozbiorowej* [A History of Cities and Bourgeoisie in Medieval and Early Modern Poland], Wrocław, 1986.

² For an overview of the state of research on the history of cities, see Łucja CHAREWICZOWA, „Stan badań nad dziejami miast polskich do 1928 r.” [The State of historical research in the history of Polish cities up to 1928], in *Przegląd Historyczny*, 27, 1928, pp. 139–152; Stefan KRAKOWSKI, *Problematyka miejska w historiografii polskiej* [Urban Issues in Polish Historiography] Łódź, 1950; Tadeusz LALIK,

Urban liberties – that is, the privileges granted to cities – have been analysed from an internal and an external perspective. Research that has adopted an external perspective has focused on the relationships between cities and rulers or other estates. Sławomir Gawlas's recent study constitutes the most insightful overview of urban liberties in relation to rulers during the thirteenth and fourteenth centuries.³ Concentrating primarily on the cities ruled by the kings of the Piast dynasty in Silesia in the thirteenth century, Gawlas has argued that after they were granted their charters, cities had to defend their autonomy against rulers who were resistant to the notion of municipal liberties and who treated chartering as an instrument of modernisation or economic policy, while opposing any limitation or loss of their prerogatives in matters of trade. Yet the incoming settlers – Walloons, Flemish and Germans – still wanted a factual realisation of what was written in charters. The Mongol raid of 1241 tilted the balance in burghers' favour. Recognising the need to rebuild the ruined state, the princes agreed – under duress – to chartering based on the judicial and financial autonomy. However, the rulers maintained their dominant position, and sold their trading facilities (scales, shambles, stalls) to municipalities. The scope of the autonomy given to individual cities was not the result of the rights included in a charter, which was vague in tone. Consequently, some cities cherished a greater degree of autonomy and freedom of trade. The prince sold the burghers all the trading facilities, and gave them full freedom to choose the city authorities. In other cities, though, the prince retained influence on the selection of municipal authorities and control over some trading facilities. This is why the scope of the autonomy obtained by the cities differed.⁴

During the second half of the thirteenth century, cities were becoming an increasingly important factor in political life. According to some historians (such as Henryk Samsonowicz and Janusz Kurtyka), the end of the thirteenth and the beginning of the fourteenth centuries witnessed the apogee of the major cities' political significance in Poland. Only at that time they played an independent political role and succeeded in acting in partnership with princes vying to unify the divided Polish territories.⁵ An indication of the liberties and power of the cities is found in the construction of city walls – which could only be constructed with consent from the rulers – from the end of the thirteenth century.

³ "Recherches sur les origines des villes en Pologne", in *Acta Poloniae Historica*, 2, 1959, pp. 101–132; Aleksander GIEYSZTOR, *Les recherches sur l'histoire urbaine en Pologne, 1960–1962*, 8, 1963, pp. 122–128; Henryk SAMSONOWICZ, "Badania nad dziejami miast w Polsce" [The present state of historical research in the history of cities in Poland], in *Kwartalnik Historyczny*, 72 (1), 1965, pp. 111–126; Ryszard SZCZYGIEL, "Miasta polskie za ostatnich Jagiellonów. Przegląd badań" [Polish Cities in the Later Jagiellonian Era. Research Overview], in *Rocznik Lubelski*, 11, 1969, pp. 127–151.

⁴ Sławomir GAWLAS, *O kształt zjednoczonego królestwa* [For the Shape of United Polish Kingdom], Warszawa, 1996 (2nd ed., 2000).

⁵ Zygryd RYMASZEWSKI, "Miejskość czy wiejskość prawa niemieckiego w Polsce" [Urbanity or Rusticity of the German Law in Medieval Poland], in *Zeszyty Naukowe Uniwersytetu Łódzkiego. Nauki Humanistyczno-Społeczne*, 1 (69), Prawo [Law], 1970, pp. 65–87.

⁶ Janusz KURTYKA, *Odrodzone królestwo. Monarchia Władysława Łokietka i Kazimierza Wielkiego w świetle najnowszych badań* [The Reborn Kingdom. The Polish Monarchy of Ladislaus the Elbow-High and Casimir the Great – An Overview of the Latest Research], Krakow, 2001, p. 183.

Yet the process of establishing a single burgher estate, whose manifestations included the origination of confederations of cities, halted. This must have followed Prince Ladislaus the Elbow-High (Władysław Łokietek) resorting to force in resolving his conflict with Krakow, Sandomierz, and Poznań – the major cities of Lesser Poland (Małopolska) and Greater Poland (Wielkopolska) – in 1312–14. Samsonowicz believes that cities trading interests led them to oppose Ladislaus's attempts to unify the country. Drawing on the conflict between the ruler and the big cities, other less important municipal centres (Nowy Sącz, Kalisz, Pyzdry) gained individual privileges from the king, and the cities competed against one another for royal privileges covering the staple right, tax exemptions, and the right to organise annual markets and fairs. As a result, the process of establishing the burgher estate in Poland, which began in the thirteenth century in the context of society based on territorial ties, was not complete, and townsfolk identified themselves with their own community and canvassed for privileges for individual cities. In the fifteenth century, the form of the Polish society did not help to establish a mature burgher estate with full parliamentary representation.⁶

The noble estate, which in the fifteenth century acquired a fairly uniform character, began to gain the upper hand and eliminated the townsfolk from participation in state governance. The king gave up some of his prerogatives to parliament, where voting was reserved for the nobility and the clergy. The process continued between the second half of the fifteenth and the end of the sixteenth centuries. As a result, monarchy transformed into a particular form of state: noble democracy.⁷

Even though some cities (Krakow, Vilnius, Lviv [Lwów], Lublin, Poznań) had the right to send their envoys to the Sejm, their vote was of no major significance in a parliament dominated by the nobility.⁸ Delegates of the cities used this privilege in a separatist manner, canvassing primarily for the interests of their own centres, and not the entire burgher estate. Moreover, they did it rather through informal methods (gifts to state dignitaries). In the sixteenth century, economic prosperity still compensated the townsfolk for the loss of their political position. Yet at the end of the sixteenth century, the political dominance of the nobility, which had grown among other reasons from the estate's internal solidarity – a trait those cities lacked – proved to be a still greater source of aggravation. The townspeople were pushed to the margins of political life, and their economic discrimination began.

A symptom of the towns' loss of political influence was the appearance of anti-municipal legislation. From the end of the fifteenth century burghers were forbidden to possess land outside the area that was granted in the charter (1496, later frequently restated – e.g. in 1538 – a fact which attests to its inefficiency). Attempts were made to abolish guilds (1538, 1552), and official prices were imposed by the *voivodes*

⁶ BOGUĆKA & SAMSONOWICZ, *Dzieje miast i mieszczaństwa w Polsce przedrozbiorowej*, p. 317.

⁷ Tomasz OPAS, "Miasta prywatne a Rzeczpospolita" [Private Cities and the Polish-Lithuanian Commonwealth], in *Kwartalnik Historyczny*, 78, 1971, p. 29.

⁸ Andrzej KARPIŃSKI, "Mieszczanie krakowscy na sejmach Rzeczypospolitej" [The Krakow burghers at Sejms in Early Modern Times], in *Społeczństwo Staropolskie, Seria Nova* [New Journal Series], 1, 2008, pp. 39–63 (includes references to earlier works).

(state officers of noble origin) on goods sold in the cities. On the assumption that goods brought into Poland by foreign merchants would be cheaper than domestically produced items, attempts were made to outlaw active foreign trade by merchants (1565). From 1633, noble status could be forfeited for engaging in trade in the cities, ensuring the strengthening of the disdain in which townspeople were held. This disdain must have been even greater than that which was felt for the peasants, who were at most accused of laziness, yet, whose work was acknowledged. On the other hand, the occupations of the townspeople, and especially of merchants, were perceived negatively by the broad masses of the nobility. The merchants were accused of pursuing nothing but profit and of cheating clients in any way possible (Mikołaj Rej, a sixteenth-century nobleman and writer, believed that the education of merchants consisted of learning how to bamboozle clients).⁹

In Polish historiography, attention has concentrated on the fact that the cities were not eager to fight for their rights. Moreover, especially in the large cities, the political elites in cities emulated the lifestyle of the nobility and sought ennoblement, efficiently and effectively weakening the economical power of the burghers. In Western Europe, this quest for noble status was linked to an increase in economic activity, but in Poland, the lack of capital was strongly evident. In the economic structure of Poland, which was dominated by the nobility, the city dwellers did not develop their own culture, or any tools for the defence of the interests of the entire estate, but were happy to take on the model of life and cultural standards of the nobility. This was all the easier as the process of 'polonisation' of the burghers took place in the sixteenth century. The only group that maintained its linguistic and denominational independence were Jews (fairly numerous in Polish cities, living in separate communes), yet at that time, they were incapable of taking on the struggle for rights and liberties on behalf of the entire bourgeoisie.

The largest cities belonged to the monarch, yet out of the 741 cities chartered within the territory of the Kingdom of Poland, no fewer than 473 (64%) were private. From the sixteenth century, kings almost entirely ceased to found new cities. Although the growth of the number of small cities helped to increase the numbers of the bourgeois, it also debilitated the burgher estate, as residents of such cities were poor and had no political influence. Was it a conscious policy by the nobility? For Andrzej Wyrobisz, the foundation of private cities was undertaken for economic reasons, as it helped to make cities dependent on the nobility. Even though citizens in private cities did not formally have fewer liberties than in the royal municipalities, their owners had real influence over their functioning, and regularly intervened in the internal life of the towns, nominating members of the city council and other institutions at will, and levying taxes in like manner.¹⁰ Private owners also imposed their own limitations;

⁹ Maria BOGUĆKA, "Miejsce mieszczanina w społeczeństwie szlacheckim: atrakcyjność wzorców życia szlacheckiego w Polsce XVII wieku" [The Status of a Burgher in Noble Society: Attractivity of models for noble life in the Seventeenth-Century Poland], in *Spoleczeństwo Staropolskie*, 1, 1976, p. 186.

¹⁰ Andrzej WYROBISZ, "Rola miast prywatnych w Polsce w XVI i XVII wieku" [The Role of Private Cities in 16th and 17th Century Poland], in *Przegląd Historyczny*, volume 65, book 1, 1974, pp. 32–33; OPAS, *Miasta prywatne a Rzeczpospolita*, pp. 28–47.

for example, the law known as *de non tolerandis Iudeis*, which forbade the settlement of the Jewish people, was binding in ecclesiastic cities. Similarly, some royal cities won such rights, consequently eliminating Christians' economic competitors.

The autonomy of Polish cities was quite limited, although less so in private cities than in royal municipalities. Private owners and the officers of the king who ran the cities in his name meddled in the internal affairs of the municipalities. In most cases, the officers were the *starosts* holding the tenure of the royal estates. Both political writers of the period and nineteenth-century historians treated the feuds between the royal cities and the *starosts* as a problem of prime importance, and recognized herein the reason for the collapse of the cities.¹¹ Walerian Kalinka and Tadeusz Korzon—representatives of the historical schools of Krakow in the Austrian Partition and of Warsaw in the Russian Partition—both vehemently accused the *starosts* of destroying the cities, yet interpreted the question differently.¹² The main assumption of Krakow school was a pessimistic belief that the Poles alone were to blame for the fall of the Commonwealth of Poland–Lithuania, and for the disasters that followed. The Warsaw School, however, promoted positivist ideas and was more concerned with the economic foundations of Poland. They believed that the positive modernising changes began in the eighteenth century, yet were interrupted at the moment of the partitioning.

A number of works on the conflict between the cities and *starosts* were published during the twentieth century, yet the majority of these were based on fragmentary sources. The more in-depth studies conducted by Maurycy Horn and Andrzej Wyrobisz concern only selected cities,¹³ but Wyrobisz nevertheless claimed that the conflicts with the *starosts* were of but secondary importance in the deterioration of Polish cities in early modern times. In Wyrobisz's view the reasons for these conflicts were mostly of an economic nature: *starosts* unlawfully demanded free services, products or additional taxes from craftsmen. The limitation of municipal liberties, the use of force against citizens, and the expression of contempt towards them was only a by-product of economic wrangling, reinforced by noble attitudes. Despite the modernisation of the political position in the kingdom, the nobility was afraid of an alliance between the king and the political elites in cities, which was nevertheless unrealistic due to the weakness of Polish cities.

¹¹ *Dyskurs o pomnożeniu miast w Polsce* [Discourse on the increasing number of cities in Poland], Kraków, 1648; STAROWOLSKI, *Reformacja obyczajów w Polsce* [Reformation of Mores in Poland], ed. Kazimierz Józef TUROWSKI, Kraków, 1859.

¹² Walerian KALINKA, *Sejm Czteroletni* [The Great Sejm], 2, Lviv, 1884–1886, p. 531; Tadeusz KORZON, *Wewnętrzne dzieje Polski za Stanisława Augusta* [A Domestic History of Poland during Stanisław August Poniatowski's Reign], vol. 2, Kraków-Warsaw, 1897, pp. 216–224.

¹³ Maurycy HORN, "Zaburzenia wśród mieszczan Starostwa lubaczowskiego w pierwszej połowie XVII w." [A Disorder among the Burghers of Lubaczow District in the first half of the 17th Century], in *Małopolskie Studia Historyczne*, 4 (2), 1961; Andrzej WYROBISZ, "Rola miast prywatnych w Polsce w XVI i XVII wieku" [The Role of Private Cities in the 16th and the 17th Century Poland], in *Przegląd Historyczny*, 65, 1974, pp. 19–46.

II. Municipal liberties

Research on liberties granted to cities and burghers which adopted an internal perspective has concentrated primarily on questions of constitution, autonomous institutions (city council and judiciary), the relationship between the patricians and other townspeople, and the freedom of religion.¹⁴ This branch of historiography embraces works concerning political struggles in the cities during the sixteenth century which resulted in the development of the representation of the third order, and their control of public finance. It emerged especially after the Second World War, and was analysed in the 1950s as an element of class struggle from the point of view of Marxist methodology.¹⁵

More recently, the phenomenon has been perceived more broadly, as a manifestation of democratisation in the cities, and as a form of resistance to the oligarchic and nepotistic character of city authorities. Civic autonomy provided the commoners with favourable conditions for political struggle, leading to the development of institutional representation, the genesis of which may be sought in the medieval institution of the *burding*, that is, the assembly of all citizens.¹⁶

In some cities, the commoners managed to win a major role in the decision-making process in matters of their own affairs. In Krakow, for example, the institution known as the *communitas* developed: this was a gathering of the three orders (*ordines*) – eleven judges, and delegates of merchants and craftsmen – and each group had one vote. Both the procedure for convening sessions of the *communitas* and the conduct of its business were strictly regulated. Gathering of the commoners was summoned by the city council, the mayor notified the chief magistrate (known as the Elder of the Bench) on the eve of the assembly, and the remaining members joined them in the chamber of the council on the following day when the town hall's bell rang at eight o'clock in the morning. The only ones to take the floor were the mayor – who spoke on behalf of the municipal council – and the chief magistrate – who spoke on behalf of the commoners. The mayor presented the *punkta* – the issues that the *communitas* was to address – after which the commoners took counsel and subsequently gave their response through the chief magistrate.¹⁷ Initially, there were no limitations on

¹⁴ Henryk SAMSONOWICZ, "Samorząd miejski w dobie rozdrobnienia feudalnego w Polsce" [Urban Self-Government in the Era of Feudal Fragmentation of Poland], in *Polska w okresie rozdrobnienia feudalnego*, ed. Henryk ŁOWMIĄŃSKI, Wrocław, 1973, pp. 133–156 (includes references to the earliest works on the establishment of Polish cities).

¹⁵ Stefan KRAKOWSKI, *Problematyka miejska w historiografii polskiej* [Urban-History Issues and Their Reflection in Polish Historiography], Łódź, 1950; Stanisław HERBST, "Miasta i mieszczaństwo renesansu polskiego" [Polish Cities and Bourgeoisie in Renaissance Era], in *Odrodzenie w Polsce*, 1 Historia, Warsaw, 1955, pp. 336–362; Marian FRIEDBERG, "Zagadnienia historii miast polskich do XVIII w." [Polish Urban History Issues until the 18th Century], in *Pierwsza konferencja metodologiczna historyków polskich*, ed. Stanisław HERBST, Warsaw, 1953.

¹⁶ Zdzisław NOGA, "Między oligarchią a reprezentacją. Uwagi o ewolucji władz miejskich Krakowa w okresie przedrozbiorowym" [Between Oligarchy and Representation. Some Remarks on the Evolution of Krakow's Government in the Middle Ages and Early Modern Times], in *Kraków. Studia z dziejów miasta. W 750 rocznicę lokacji*, ed. Jerzy RAJMAN, Kraków, 2007, pp. 101–109.

¹⁷ Stanisław KRZYŻANOWSKI, "O sejmikowaniu mieszczaństwa krakowskiego" [The Participation of burghers from Krakow in assemblies of provincial nobility], in *Rocznik Krakowski*, 2, 1899, pp. 207–224.

either the duration of sessions or the number of matters discussed. As a result of procrastination in the decision-making process, rulers were introduced to speed matters up in the eighteenth century. The chief magistrate received the agenda for the session from the council, and could later conduct the session for no more than three hours, after which time he was obliged to provide a response. Should the gathering fail to provide a response twice, the council was allowed to decide on its own, so as not to delay municipal matters.¹⁸

The commoners' most important trump card in the *communitas* was the authority they possessed in matters of finance. The council could not pass any tax or spend more than 100 zlotys from its treasury without the consent of the gathering, which made financial questions the main subject of discussion in the sessions. The council was regularly asked to account for the taxes collected; yet the financial supervision exercised by the commoners was not limited to listen to financial reports. Since they participated in every stage of tax collection, representatives of the commoners had permanent insight into public finance. Every time levies were collected (and the *communitas* had to agree to their institution), tax collectors were appointed individually (separately from craftsmen guilds, and among the merchants). As a rule, the council approved the commoners' candidates, rejecting them only in exceptional cases. The weakening of the upper stratum of the townspeople after the Swedish War in the mid-seventeenth century, financial problems of municipal community, and other devastating wars forced the council into permanent consultation with the representation of the commoners not only in matters of public finance, but also in the most crucial affairs of the city, including internal order, defence, waste removal, fire protection, and the organisation of festivities. The frequency of the meetings of the city council and the commoners, together with the scope of matters addressed, leave no doubt that it was a true representation of the whole town community, which had a significant influence on all the more important affairs of the city. Conflicts of competence between the municipal authorities in Krakow were mild. In other cities those disagreements sometimes led to sharp disputes.

Works devoted to the institutions of the third order note, however, that internal struggles weakened the authority and independence of cities, as they allowed royal intervention in the internal matters of the municipalities, to whom representatives of the commoners appealed. The king or royal representatives adjudicated conflicts between the townspeople and the council.¹⁹ The rulers made use of this, and went even further: the next step in limiting municipal autonomy was the approval of the guilds' rules and statutes by the monarchs.

As yet, the question of personal liberty of the townspeople has not been analysed sufficiently.²⁰ In Masovia (one of the districts of the kingdom), the law guaranteed

¹⁸ Zdzisław NOGA, *Urzednicy miejscy Krakowa* [Krakow Officials], cz. 2: 1500–1794, Kraków, 2008, p. L.

¹⁹ BOGUĆKA & SAMSONOWICZ, *Dzieje miast i mieszczaństwa w Polsce przedrozbiorowej*, p. 460.

²⁰ Tomasz OPAS, "Wolność osobista mieszczan miast szlacheckich województwa lubelskiego w drugiej połowie XVII i w XVIII wieku" [Personal freedom of Burghers from private cities of Lublin voivodeship (province) in the second half of the 17th and the 18th century], in *Przegląd Historyczny*, 41, 1970, pp. 609–627.

freedom of resettlement and imposed punishments on any city owner preventing such movement. Moreover, the burghers from private cities were free people, and had the liberty to choose their profession and spouse. But their freedom was unlawfully constrained by the owners of the cities, who sometimes forbade them to leave their place of residence.

The question of the freedom of religion refers to Poland's short period of reformation. Burghers from royal cities won the freedom of denomination in the mid-sixteenth century, when the execution of the decisions of ecclesiastic courts by state officers was abolished.²¹ Later decisions of the Polish parliament guaranteed freedom of confession not only to the nobility but also to the bourgeoisie. It was only in private cities that owners might at times impose their own denomination (turning a Catholic church into a place of Protestant worship). From the enthronement of Sigismund III Vasa (Zygmunt III Waza, 1587), the rights of people of other faiths were gradually limited, as was their access to city posts, and even to municipal law. On the other hand, the townsfolk experienced no discrimination in relation to ethnicity (with the exception of Jews), which was a stabilising influence in multi-ethnic Polish cities.

Even though the Polish cities conducted a particularistic policy, there was neither any concerted attempt to reform municipal affairs thoroughly, nor any joint struggle for participation in the political life of the state. The bourgeoisie had a sense of belonging to a single estate. They considered themselves better than peasants, and calling a burgher a peasant resulted in major penalties administered by the municipal courts. In a study of cities in the second half of the eighteenth century, Krystyna Zienkowska detected "social frustration" among townspeople, and also discerned attempts to question the domination of the nobility.²² At the same time, the writings of the Enlightenment and the political speeches of the nobility began to include some new content: respect for townspeople as well as for their work.²³ Political activity of royal cities, especially Warsaw, during the Four-Year Sejm towards the end of the eighteenth century significantly influenced the equalisation of rights of the bourgeois and nobility, which found its expression in the Act of the Parliament of 18 April 1791, and in the Constitution of 3 May. This was, however, too late, as Poland disappeared from the political map of Europe in 1795 and Polish cities lost their autonomy.

²¹ Henryk BARYCZ, *Z epoki renesansu, reformacji i baroku. Prądy – idee – ludzie – książki* [From the Renaissance, Reformation and Baroque Times: Currents – Ideas – People – Books], Kraków, 1971, pp. 284–296; Gottfried SCHRAMM devoted a lengthy study to the reformation in Krakow: "Reformation und Gegenreformation in Krakau. Die Zuspitzung des konfessionellen Kampfes in der polnischen Hauptstadt in *Zeitschrift für Ostforschung*, 19, 1970, pp. 1–41.

²² Krystyna ZIENKOWSKA, *Sławetni i urodzeni. Ruch polityczny mieszczaństwa w dobie Sejmu Czteroletniego* [Worthy and Well-born. Political Movement of Bourgeoisie in Polish-Lithuanian Commonwealth during the Four-Year Sejm], Warsaw, 1976.

²³ BOGUĆKA & SAMSONOWICZ, *Dzieje miast i mieszczaństwa w Polsce przedrozbiorowej*, p. 577.

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A Winding Road: Urban Autonomy in the Romanian Principalities between the Fourteenth and Eighteenth Centuries*

In Europe, the new millennium starting in 1000 seemed to be characterized by several defining features: new kings and more or less influential local lords, an ever-more present Church, but also a mass of peasants who labored on the domains, seeking to make their living to please God. As migrations stopped and various political structures on the continent gained coherence, the roads became more secure, and the merchants dared to venture even farther from their market towns. Economic development had the inhabitants wishing to break free from the protection of secular or ecclesiastical lords and seeking to obtain something that had seemed impossible before: legal liberty and the right to organize themselves. Ultimately, the town communities, whose members combined to form societies bound by oath (*comuna*) obtained liberties and tax exemptions, expressed as *privileges* in special charters from kings or lords. These liberties varied significantly from one area to another in Europe and from one town to the other, since urbanization was a very diverse and complex process, with many specifics.¹ At the same time, major areas in the East remained underdeveloped and poorly populated. In Poland or Hungary, German settlers played a significant part, both in the economic development of these areas, and in the emergence of towns. Ever since their arrival, settlers were granted significant privileges, which allowed them to organize their communities around the principle of liberty. As free persons, they were entitled to elect their own representatives, who judged and organized them, establishing a special relation both with the king, and the rest of society.²

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¹ On this vast subject, see Henri PIRENNE, *Les villes et les institutions urbaines*, Paris-Bruxelles, 1939, and *Les villes du Moyen Âge*, Paris, 1971; *La Ville*, 2nd part in *Recueils de la Société Jean Bodin*, VII, Bruxelles, 1955; Robert FOSSIER, *Enfance de l'Europe*, II, pp. 980–1043 (chapter III, "Qu'est-ce que la ville?"); Fritz RÖRIG, *The Medieval Town*, ed. D. J. A. MATTHEW, Berkeley, 1967; *Vor- und Frühformen der europäischen Stadt im Mittelalter*, I-II, ed. Herbert JANKUHN, Walter SCHLESINGER & Heiko STEUER, Göttingen, 1973–1974; *Die mittelalterliche Städtebildung im Südösteuropa*, ed. Heinz STOOB, Köln-Wien, 1977; Edith ENNEN, *The Medieval Town*, Amsterdam-New York, 1979; David NICHOLAS, *The Growth of the Medieval City from Late Antiquity to the Early Fourteenth Century*, London, 1997.

² See Aleksander GIEYSZTOR, "From Forum to Civitas: Urban Changes in Poland in the Twelfth and Thirteenth Centuries", in *La Pologne au XII^e Congrès International des Sciences Historiques a Vienne*, Warsaw, 1965, pp. 7–30; Benedykt ZIENTARA, "Foreigners in Poland in the 10th–15th Centuries: their Role in the Opinion of Polish Community", in *Acta Poloniae Historica*, 29, 1974, pp. 5–28, and