

The “Common Good” and Urban Crisis Management in Early Modern East-Central Europe: The Examples of Danzig and Slutsk

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Abstract

This essay scrutinizes how the notion of the common good was interpreted within two distinct urban communities of the Polish–Lithuanian Commonwealth, in Royal Prussia and the Grand Duchy of Lithuania. Karin Friedrich underscores that while the discourse surrounding the common good held significant weight in Polish–Lithuanian political and moral deliberations, urban culture was largely overlooked. This was primarily due to the prevalent belief in the moral inferiority associated with urban and commercial activities. Despite this, the essay presents two case studies demonstrating how the principle of the common good, or “bonum commune,” was actualized in the Commonwealth’s cities. The examples provided are Danzig (Royal Prussia) during the city’s dispute with King Stephen Báthory and Slutsk (Grand Duchy of Lithuania) during the period of Prince Bogusław Radziwiłł’s ownership. Friedrich demonstrates that the common good was tightly interwoven with self-interest in urban socio-political and economic life. These two values bolstered each other, creating a potential symbiosis between the common good and individual benefit. Attempts to secure the common good were not perceived as sacrifices but as pursuits of prosperity and overall well-being.

Keywords

Poland–Lithuania – common good – Danzig – Slutsk – Hugo Grotius – urban life

Before the genre of cameralist writings took hold in the eighteenth-century Holy Roman Empire, one of the most interesting treatises defining the common good in an early modern German city was the work of 1564 by Leonhard

Fronsperger (1520–75) *In Praise of Self-Interest*.¹ The author, a soldier and burgher from the city of Ulm, announced that despite the bad reputation that self-interest had among Christians, it was a necessary and useful ingredient for the creation of the common good. Without it, good governance, peace, and prosperity would not be able to exist. Anticipating arguments by Bernard Mandeville (1670–1733), Fronsperger emphasized the value of self-love in improving the motivation of people to contribute to the common welfare, like the bees of a beehive. Inequality of its members, he believed, was the secret of every harmonious body, like pipes of an organ whose different sizes played in concert, resulting in the most beautiful melodies. Winfried Schulze concluded that this treatise contributed to a tradition of economic and social thought that led from the *Hausväterliteratur* (literature on the household economy) to cameralism, and under the influence of the Scotsman Adam Smith (c.1723–90) to the school of *Nationalökonomie* (National Economy) during the late eighteenth century, until it eventually engendered European economic liberalism in the nineteenth century.

The battle for the definition of the common good also has a long history in the early modern Polish–Lithuanian Commonwealth, where the parenetical literature of noble culture taught that the *bonum commune* (common interest) had to stand above the *bonum proprium* (self-interest). Ever since the publication of Wawrzyniec Goślicki's (1530–1607) treatise *De optimo senatore* (On the best senator)² in 1568, this was a widely accepted paradigm among the educated nobility, frequently demanded in the Sejm: in order to strengthen the republic, *privata* (private matters) must be trumped by *publica* (public affairs).³ Often cited is the comment by Jan Ostroróg (1565–1622), who contrasted good politicians who “preside over public things which they most nobly administer” with “men who do not care much for the public welfare (which is what politicians should do) but only care for what is their own, and even if they seem to care, they measure everything according to their own comfort,

1 Leonhard Fronsperger, *Von dem Lob des Eigen Nutzen* (Frankfurt am Main: Feyerabend und Hüter, 1564); Winfried Schulze, “Vom Gemeinnutz zum Eigennutz. Über den Normenwandel in der Ständischen Gesellschaft der Frühen Neuzeit,” *Historische Zeitschrift* 243 (1986): 591–626.

2 The text was published in English translation in 1598 in London under the title *The Counsellor*.

3 In the same spirit, Goślicki was the only bishop who signed the Warsaw Confederation of 1573 during the Sejm of 1587, which promised equal civic rights for the Protestant nobility to keep the peace; Teresa Bahuk-Ulewiczowa, *Goslicius' Ideal Senator and His Cultural Impact over the Centuries: Shakespearean Reflections* (Kraków: PAU, 2009).

without justice.⁴ Numerous political treatises and Sejm speeches insisted that the *civis bonus* (good citizen) served with his property and his participation in the military defense of the republic and his king for the common interest of his fatherland, just as he participated in the local dietine and, if elected as envoy, in the general Diet.⁵ Peer pressure and the attempt to fit local interests into a wider discourse of the common good of the entire republic dominated noble rhetoric in East-Central European *libertas* (liberty) culture. Towns and cities, however, were excluded from such assumptions of virtuous lifestyle. If Fronsperger had mounted a defense of Polish burghers' self-interest instead of thinking of his fellow burghers in Ulm, it would have merely confirmed the local nobility's assumptions about urban activities and commoners' lack of virtue. The defense of the common good, therefore, played an essential part in Polish nobles' rejection of urban trades and mercantile activities as unworthy of the noble citizen: "The [nobles] do not bestow their freedoms and honors upon plebeians."⁶ Not least, as a result of these publicly aired prejudices, Poland–Lithuania received bad press for neglecting its towns, characterized by decline and "ruralization," despite the fact that Anzelm Gostomski's (1508–88) famous instructions on the rural economy led to a boom of urban foundations after he gave plenty of advice to nobles to invest in them—for their own private good.⁷

The following two case studies from within the Polish–Lithuanian Commonwealth demonstrate a variety of ways the debate about the common good found application in practice: first, in the city of Danzig during its conflict with King Stefan Báthory (1533–86, r.1576–86) in 1577; second, during Bogusław Radziwiłł's (1620–69) government over the privately owned multi-religious Belarusian city of Slutsk in the seventeenth-century Grand Duchy of Lithuania. The combination of these two examples might appear strange at first sight. The citizens of both cities relied on medieval law codes that regulated municipal constitutions favorable to urban development and self-government: Danzig's Kulm law was a modified combination of Magdeburg,

4 *Illustrissimi ac Excellentissimi Domini Ioannis comitis ab Ostrorog Palatini Posn[naniensis] [...] Ad filios admonitoria epistola* (Nysa: Augustinus Gründer, 1616), fol. B2 [my translation].

5 See the classic treatise by Caspar Siemek, *Civis bonus Ad [...] Dominum Ioannem a Zebrzydowice Zebrzydowski Regni Poloniae Ensiferum [...]. Vbi ciuis boni natura, conditio, leges [...] perscribuntur* (Kraków: Officina Typ. Matthiae Andreouien, 1632).

6 Citation of Maciej Sarbiewski [1630], in Stanisław Kot, "Descriptio Gentium poetów polskich XVII wieku," in *Polska złotego wieku a Europa*, ed. Henryk Barycz (Warsaw: PIW, 1987), 834–73, here 848 [my translation].

7 Anzelm Gostomski, *Gospodarstwo* (Kraków: J. Siebeneicher, 1588). Modern edition, ed. Stanisław Ingłot, Biblioteka Narodowa seria 1, no. 139 (Wrocław: Zakład Narodowy im. Ossolińskich, 1951), 100ff.

Flemish, and Polish customary law, while Slutsk received Magdeburg law in 1441. Significant here, however, is the observation of shared patterns of political behavior, which Władysław Czapliński (1905–81) pointed out seventy years ago, between the role of the Royal Prussian cities and the position of magnates in the Polish–Lithuanian Commonwealth.⁸ While Czapliński broke with a nineteenth-century Polish historical tradition—ironically shared by nationalist German historiography—that saw Danzig’s defense of its autonomy as an assertion of “German” identity, he explained the “self-interested” attitudes of the Danzigers with a “class bias” they shared with the Polish–Lithuanian magnates. Even when the Stalinist constraints of the early 1950s lifted, this characterization of magnate egotism prevailed in Marxist historiography.⁹

In contrast to older views of a static “magnateria,” magnate families formed a highly mobile group whose status was anything but stable or clearly defined.¹⁰ Both cities and magnates, who frequently owned and controlled urban centers, however, shared a discourse that set concepts of self-interest and the common good against each other. The lord and owner of Slutsk, Bogusław Radziwiłł, hailed from one of the Commonwealth’s most influential magnate families. Like Danzig’s Protestant and German-speaking patricians, Radziwiłł was an outsider among his magnate peers.¹¹ Closely linked to Brandenburg-Prussia through his mother Sophia Elisabeth (1589–1629), a Hohenzollern princess, Radziwiłł collaborated with the Swedes during 1655–58. Having received an amnesty from the Polish king and Sejm in 1658, he accepted an appointment as governor of Ducal Prussia. Danzig and Radziwiłł, albeit strongly hostile to each other, reflected the multi-ethnic and multi-religious character of the Commonwealth’s elites, whom the Polish nobility repeatedly accused of disloyalty, the pursuit of “particular interests,” or even treason.¹² This accusation

8 Władysław Czapliński, “Problem Gdańska w czasach Rzeczypospolitej szlacheckiej,” *Przegląd historyczny* 43 (1952): 273–86, cited in Michael G. Müller, *Zweite Reformation und städtische Autonomie im Königlichen Preußen: Danzig, Elbing und Thorn in der Epoche der Konfessionalisierung (1557–1660)* (Berlin: Akademie-Verlag, 1997), 173.

9 Władysław Czapliński and Józef Długosz, eds., *Życie codzienne magnaterii polskiej w XVII w.* (Warsaw: PIW, 1976), 224.

10 Robert Frost, “The Nobility of Poland–Lithuania 1569–1795,” in *The European Nobilities in the Seventeenth and Eighteenth Centuries*, vol. 2, *Northern, Central, and Eastern Europe*, ed. Hamish M. Scott, 2nd ed. (Basingstoke: Palgrave, 2007), 266–310.

11 Tadeusz Wasilewski, “Bogusław Radziwiłł,” in *Polski słownik biograficzny* 30 (Wrocław: PAN, 1987), 161; Bogusław Radziwiłł, *Autobiografia*, ed. Tadeusz Wasilewski (Warsaw: PIW, 1979).

12 For one of many examples of anti-Radziwiłł rhetoric (Radziwiłł was turned into “Zdradziwiłł” [from “zdrada,” treason]), see Bibl. Czart, Teki Naruszewicza 148, fol. 783. For the link between Protestantism and treason, see also Tadeusz Wasilewski, “Zdrada

deserves further examination in the context of the debate on the ability to reconcile self-interest with the common good.

1 Self-Interest versus “Common Good” in the “Younger Europe”

Fronsperger’s concept of *honesta voluptas* (honest indulgence) turned against the moral framework of Christian Scholasticism, which in its manifold adaptations in the Holy Roman Empire had defined natural law as a regulator of the common good. This tradition was subject to a lively debate in the empire’s sixteenth-century universities and cities, where numerous editions of Thomas Aquinas’s (1224/25–74) works were produced in German printing offices. Consequently, new interpretations of, and opposition to, Thomism found dissemination through the Renaissance Republic of Letters.¹³ Aquinas had condemned selfish interest in favor of *prudentia politica* (political wisdom),¹⁴ whose task it was to uphold the common good, although he had also distinguished between legitimate individual ownership of property and the Christian obligation to share its use. The crisis of the seventeenth century, its wars, and all the consequences that flowed from them for the common people triggered a strong debate between self-interest (usually attributed to a ruler or urban oligarchy intent on strengthening their authority) on the one hand, and the common good (of the community of citizens intent on defending their traditional immunities) on the other.

It was also a tradition that dominated the political discourse in the monarchies and *Ständestaaten* (states of estates) of East-Central Europe where members of the representative bodies of the noble estates stuck to their vocabulary

Janusza Radziwiłła w 1655 r. i jej wyznaniowe motywy,” *Odrodzenie i Reformacja w Polsce* 18 (1973): 125–47.

13 Matthew Levering and Marcus Plested, eds., *The Oxford Handbook of the Reception of Aquinas* (Oxford: Oxford University Press, 2021). See also the Central European reception of Aristotelian and Thomist ideas through the influence of the natural law schools of Salamanca and Coimbra, represented by the Dominican Francisco de Vitoria (1483–1546) and the Jesuit Francisco Suárez (1548–1617), as well as opposition to Thomism by Jesuits such as Luis de Molina (1535–1600). Robert A. Maryks and Juan Antonio Senent de Frutos, eds., *Francisco Suárez (1548–1617): Jesuits and the Complexities of Modernity* (Leiden: Brill, 2019); see also Paul O. Kristeller, *Medieval Aspects of Renaissance Learning: Three Essays* (Durham, NC: Duke University Press, 1974); Michel Bastit, *Naissance de la loi moderne: La pensée de la loi de Saint Thomas à Suárez* (Paris: PUF, 1980).

14 Thomas Aquinas, *Summa theologiae prima pars* (Cologne: Cornelia ab Egmond, 1639), quaest. 47, art. 10, 448–49. See Hubert Izdebski, “Własność: Pomiędzy doktryną a dogmatyką prawną,” *Czasopismo prawno–historyczne* 56, no. 1 (2004): 161–75, here 167.

of ancient rights and liberties. In contrast to the strong defense of constitutional and elective monarchy alongside *forma mixta* (mixed form) of government in the practice-oriented political writings of Polish (and some Czech, Hungarian, and Transylvanian) authors,¹⁵ German and French political culture increasingly mounted an absolutist challenge, particularly during the later seventeenth century. This crisis of political Aristotelianism was accompanied by the emergence of the *ratio status* (reason of state) doctrine, which, as Horst Dreitzel commented, produced a utility-orientated moral theory of economics and statecraft that not always managed to merge the just and the useful.¹⁶ The late medieval *bien de la chose publique* (the "common good") turned into *le bien d'État* (good of the state), and a mixed form *res publica* (commonweal) turned into the more abstract notion of the "state."¹⁷

In many cities of the "Younger Europe," these liberties were secured by Magdeburg law charters and institutions of self-government, although private cities that had been granted such statutes did not always enjoy the full range of privileges Magdeburg law afforded to royal cities. Some historians have even compared the abolition of private towns after the partitions of Poland–Lithuania to the end of serfdom.¹⁸ It would be wrong, though, to generalize such a negative, emotive image of oppression. Whether it was the private town lord or the abstract "state," restrictions on Magdeburg charters and "old freedoms" regularly met resistance from the common people who protested that their main goal was to find *gemeine Nahrung* (subsistence) to protect

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- 15 László Kontler and Balázs Trencsényi, "Hungary," in *European Political Thought, 1450–1700: Religion, Law, and Philosophy*, ed. Howell A. Lloyd, Glenn Burgess, and Simon Hodson (New Haven: Yale University Press, 2007), 176–207, here esp. 185–86, 194–95; Graeme Murdock, "Freely elected in fear: Princely Elections and Political Power in Early Seventeenth-Century Transylvania," *Journal of Early Modern History* 7 (2003): 213–44; Gottfried Schramm, "Polen—Böhmen—Ungarn: Übernationale Gemeinsamkeiten in der politischen Kultur des späten Mittelalters und der frühen Neuzeit," in *Ständefreiheit und Staatsgestaltung in Ostmitteleuropa: Übernationale Gemeinsamkeiten in der politischen Kultur vom 16.–18. Jahrhundert*, ed. Joachim Bahlcke, Hans-Jürgen Bömelburg, and Norbert Kersken (Leipzig: Universitätsverlag Leipzig, 1996), 13–38, and other contributions to the same volume.
- 16 Horst Dreitzel, "Reason of State and the Crisis of Political Aristotelianism: An Essay on the Development of Seventeenth-Century Political Philosophy," *History of European Ideas* 28 (2002): 163–87, here 169, 184.
- 17 James B. Collins, *La monarchie républicaine: État et société dans la France moderne* (Paris: Collège de France, 2016), 13–14.
- 18 Curtis Murphy, *From Citizens to Subjects: City, State, and the Enlightenment in Poland, Ukraine, and Belarus* (Pittsburgh: University of Pittsburgh Press, 2018), 123; see also Tomasz Opas, "Własność w miastach szlacheckich województwa lubelskiego w XVIII wieku," *Czasopismo prawno-histeryczne* 22, no. 1 (1970): 21–54.

their livelihood and property. Urban citizens shared a discourse of the common good against un-Christian practices such as usury and the introduction of oppressive new laws and regulations.¹⁹ Particularly in the aftermath of the Thirty Years' War (1618–48) in the Holy Roman Empire, the defense of medieval concepts of a virtue-based common good by the urban elites clashed with the new territorial rulers' emphasis on bureaucratic expansion and state-building. The protest of the common man acquired the label of a selfish pursuit of particular and local interests.²⁰

2 The “Common Good,” Natural Law, and Hugo Grotius

The language of the common good also had adherents among the noble estates. In Poland–Lithuania's dialogue with the late humanist European Republic of Letters during the first decades of the seventeenth century, Hugo Grotius (1583–1645) played a particular role. Based on his reputation as a European natural law thinker, Grotius found great appreciation among his contemporaries in Poland–Lithuania, specifically in the city of Danzig, where Israel Köhne Jaski (1573–1641) conducted a lively correspondence with the Dutchman in the 1630s.²¹ Grotius set out his insistence on a city's need for political unity and agreement on religious matters in his early work *De republica emendanda* (On the improvement of the commonweal) of 1601—a title that not coincidentally echoed Andrzej Frycz Modrzewski's (1503–72) opus, *De republica emendanda* of 1551—which recommended respect for religious dissenters on the basis of natural law arguments. Republics flourished best under a government that did not interfere in private consciences. Faith had to be free from coercion, as “the human spirit is so free that it feels and thinks freely even under torture and

19 See, for example, Yvonne Kleinmann, “Rechtsinstrumente in einer ethnisch–religiös gemischten Stadtgesellschaft des frühneuzeitlichen Polen: Der Fall Rzeszów,” in *Religiös–politische Ordnungen in Ostmitteleuropa vom 16. bis zum 20. Jahrhundert*, ed. Johannes Gleixner et al. (Munich: BiblionMedia, 2015), 138–73. Also Stefan Rohdewald, *Vom Polocker Venedig: Kollektives Handeln sozialer Gruppen in einer Stadt zwischen Ost- und Mitteleuropa* (Stuttgart: De Gruyter, 2005), and David Frick, *Kith, Kin, and Neighbors: Communities and Confessions in Seventeenth-Century Wilno* (Ithaca, NY: Cornell University Press, 2013).

20 Karin Friedrich and Andreas Holzem, “Marktregulierung, Moral und Theologie für und wider den Markt,” in *“Eigennutz” und “gute Ordnung”: Ökonomisierungen der Welt im 17. Jahrhundert*, ed. Sandra Richter und Guillaume Garner (Wiesbaden: Harrassowitz, 2016), 485–93.

21 Stanisław Kot, “Hugo Grotius a Polska,” in Stanisław Kot, *Polska złotego wieku a Europa: Studia i szkice*, ed. Henryk Barycz (Warsaw: PIW, 1987), 577–614.

does not agree with what the torturer wants it to think."²² Peace and harmony were preconditions for the common good to blossom. Amid religious ambiguity and dissimulation—widespread among the early reformers²³—numerous early Protestants embraced Frycz Modrzewski's humanist irenicism,²⁴ which greatly influenced the emerging image that Poland–Lithuania represented an exceptional—but endangered—model of pragmatic toleration and a safe haven for religious refugees from other parts of Europe.²⁵

Grotius was not only informed by the Polish experience; in the first half of the seventeenth century, he also added a critical voice in reaction to the deteriorating position of the dissidents in the Commonwealth. After the destruction of the Calvinist church in Vilnius in 1639, Grotius expressed his sadness about these events to his correspondent in Danzig, Israel Jaski: "What you write to me about Vilnius greatly grieves me. This example of religious hatred displeases me greatly, and nothing is more contrary to the statutes of your kingdom."²⁶ In the same correspondence, Grotius expressed his desire "to work for the common good and peace that we always have to choose if we want to call ourselves Christians." Disappointed with the decline of toleration in Poland, "which until now has excelled above all nations having untouched freedom of religion and above all kingdoms happily mixed [a constitution of] principality with liberty,"

22 Andrzej Frycz Modrzewski, *Dziela wszystkie*, vol. 1, *O poprawie* (Warsaw: PIW, 1953).

23 Barbara Stollberg-Rilinger, "Einleitung," in *Konfessionelle Ambiguität: Uneindeutigkeit und Verstellung als religiöse Praxis in der Frühen Neuzeit*, ed. Andreas Pietsch and Barbara Stollberg-Rilinger, *Schriften des Vereins für Reformationsgeschichte* 214 (Gütersloh: Gütersloher Verlagshaus, 2013), 9–26.

24 On more recent assessments of the role of Frycz Modrzewski's influence on irenic ideas, see Maciej Ptaszyński, *Reformacja w Polsce a dziedzictwo Erazma z Rotterdamu* (Warsaw: Wydawnictwo Uniwersytetu Warszawskiego, 2018); also Paul Knoll, "Religious Toleration in Sixteenth-Century Poland: Political Realities and Social Constraints," in *Diversity and Dissent: Negotiating Religious Difference in Central Europe, 1500–1800*, ed. Howard Louthan, Gary Cohen, and Franz A. J. Szabo (New York: Berghahn, 2011), 30–52.

25 Michael Müller, "Nicht für die Religion selbst ist die Conföderation inter dissidentes eingerichtet [...]: Bekenntnispolitik und Respublica-Verständnis in Polen-Litauen," in *Aspekte der politischen Kommunikation*, ed. Luise Schorn-Schütte, *Historische Zeitschrift Beiheft* 39 (2004): 311–28, here 312. See also Joanna Kostyło, "Commonwealth of All Faiths: Republican Myth and the Italian Diaspora in Sixteenth-Century Poland–Lithuania," in *Citizenship and Identity in a Multinational Commonwealth: Poland–Lithuania in Context, 1550–1772*, ed. Karin Friedrich and Barbara Pendzich (Leiden: Brill, 2009), 171–205; Maciej Ptaszyński, "Between Marginalization and Orthodoxy: The Unitas Fratrum in Poland in the Sixteenth Century," *Journal of Moravian History* 14, no. 1 (2014): 1–29; Mirosława Hanusiewicz-Lavallee, *W stronę Albionu: Studia z dziejów polsko-brytyjskich związków literackich w dobie wczesnonowoczesnej* (Lublin: KUL, 2017), esp. 131–74.

26 Hugo Grotius, *Epistolae and Israellem Jaski* (Gdańsk: Typis Rhetianis, 1670), 75–76 [September 22, 1640]; also cited in Kot, "Grotius a Polska," 597 [my translation].

Grotius exempts the city of Danzig from his criticism and sees it as a place where “peace flourishes, and where faith engendered the fruits of peace, that is, learning and commerce.”²⁷ The Danzig city fathers gratefully received this compliment, as the discourse of the common good echoed in the motto that the Dutch Calvinist architect Abraham van den Blocke (1572–1628) had put on Danzig’s Golden Gate arch: “Concordia res publicæ parvæ crescunt—discordia magnæ concidunt” (In concord, small republics grow, in disagreement great republics fall).²⁸

The common good and self-interest, while they were associated with urban commercial activities, seemed to stand in no conflict for the city fathers. Until the early 1620s, the Danzig council counted among its members several eminent Calvinists. Their Reformed religion had taught them that well-being was measured by the secure and free enjoyment of property.²⁹ Calvinists regarded owning property as the result of divine providence. By following the duty of hard work and frugality, the acquisition and preservation of property were indeed evidence of a virtuous lifestyle.³⁰ In the context of Poland–Lithuania’s mixed constitution, property was additionally guaranteed by the liberties that its citizens enjoyed, so that Calvinist ideas of property aligned with the civic discourse in the republic. Calvin himself might not have supported individual property rights as strongly as historians following the Max Weber (1864–1920) school later suggested, but this did not prevent Andrzej Wolan (1530–1610) from linking the preservation of life and property with the pre-eminence of liberty:

This is the highest level of our liberty, that our livelihood be free from all injustice and all fear of murder, that our properties and goods are free from attack and extortion. And in truth, no great wealth and riches can be happily enjoyed where there is no security of livelihood.³¹

27 Grotius, *Epistolae*, 60, 82.

28 Danzig’s exceptional position among the Commonwealth’s royal cities as a multi-religious urban space at least until the 1620s is particularly apparent when compared to the situation of Protestant communities in other royal cities. See Howard Louthan, “Irenicism and Ecumenism in the Early Modern World: A Re-evaluation,” *Odrodzenie i Reformacja w Polsce* 61 (2017): 6–30, esp. 7–8.

29 Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 2, *The Age of Reformation* (Cambridge: Cambridge University Press, 1978), 328.

30 Tomasz Szczęch, “Własność w myśli Jana Kalwina,” *Czasopismo prawno–historyczne* 56, no. 2 (2004): 195–201, here 196, 200.

31 Andrzej Wolan, *De libertate politica sive civili: O wolności Rzeczypospolitej albo szlachectkiej*, ed. Maciej Eder and Roman Mazurkiewicz, trans. Stanisław Dubingowicz (Warsaw:

The idea of the mixed form of government, which worked toward the common good, was also incompatible with the idea of the dynastic, hereditary *patrimonium* (inherited property) of an absolute monarch. Łukasz Opaliński (1612–66) singled out the members of the senate as the republic’s most trusted guardians, who negotiated the balance between the *szlachta* (nobility) and the king, at all times guided by the law. All this, according to Opaliński, pointed toward the common good: “In the Commonwealth, where the state is not the hereditary property of one, but a society linked to laws and the common fatherland of its citizens, all are concerned for the common good.”³² In consequence—as Anna Grześkowiak-Krwawicz pointed out for Poland—the culture of the nobility of the “Younger Europe” excluded from its discourse on the common good the concept of (private) property.³³ According to Grotius, however, a society of men of property, such as an urban republic with strong trade links and craft traditions, was built on natural as well as contract law, which regulated the competition between self-interest and the common good. The strong moral foundations of contracts could guarantee a peaceful outcome in this contest. In the words of Knud Haakonssen, “individuals with natural rights are the units of which all social organization is made. They are people who balance pure self-interest and social inclinations by entering in contractual relations with others about property and about modes of living together, especially about authority.”³⁴ While Grotius’s ideas on constitutional monarchy, sociability, and reason corresponded to the ideas of the moderate “constitutionalists” among the Polish politicians of the mid-seventeenth century, his emphasis on the importance of property suited the conditions of commercial Dutch society, with a particular relevance to the interests of the citizens in urban agglomerations. Grotian thought spoke to Danzig’s merchant community in the seventeenth century. Yet even half a century earlier, Dutch ideas on the benefit of trade and republican freedoms found fertile ground in the city, as the following case study shows.

Neriton, 2010), 157 [my translation]. On Calvin, see Mark Valeri, “Religion, Discipline, and the Economy in Calvin’s Geneva,” *Sixteenth Century Journal* 28, no. 1 (1997): 123–42.

- 32 Łukasz Opaliński, *Polonia defensa contra Ioan. Barclaium* (Gdańsk: Georg Förster, 1648) [Obrona Polski], in *Wybór pism*, ed. Stanisław Grzeszczuk (Wrocław: Zakład Narodowy im. Ossolińskich, 1959), 175; see also Maria O. Pryślak, *Państwo w filozofii politycznej Łukasza Opalińskiego* (Kraków: Historia Jagellonica, 2000), 97.
- 33 Anna Grześkowiak-Krwawicz, *Dyskurs polityczny Rzeczypospolitej Obojga Narodów: Pojęcia i idee* (Toruń: Fundacja na Rzecz Nauki Polskiej, 2018), 377–80.
- 34 Knud Haakonssen, *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment* (Cambridge: Cambridge University Press, 1996), 28.

3 Danzig's Conflict with Stefan Báthory

The urban elites of Danzig belonged among the leaders of the Prussian rebellion against the Teutonic Order during the Thirteen Years' War (1454–66) that ended with the Second Peace of Thorn (Toruń) in 1466, when Danzig and the province of Royal Prussia joined the Polish crown. The city retained all its laws and liberties and remained one of the leaders of the Prussian *Landesrat* (Diet), which, under the name of Royal Prussian *sejmik* (dietine), survived the closer union with the Polish–Lithuanian Commonwealth, concluded at the Sejm of Lublin, in 1569. Even after the union of Lublin, however, the representatives of Danzig, Thorn, Elbing (Elbląg), and—until 1662—the smaller cities still took their seats in the Prussian *sejmik* alongside delegates from the Royal Prussian nobility. This representation within Royal Prussia provided the cities with a stronger voice than the royal cities in other parts of the Commonwealth. Danzig had its own fortifications and city militia. Unlike other royal cities after the Reformation, Danzig, Thorn, and Elbing also received a privilege enabling the free exercise of the Augsburg confession. By the end of the sixteenth century, Danzig had sizable Reformed, Anabaptist, and Bohemian Brethren communities. A strong sense of political independence, both at local and international levels, played a major role in the Danzigers' attitudes. Modeled on the Hanseatic past, the urban constitutions guaranteed taxation policies favorable to commercial activities and the ability to conclude political alliances with other powers.

The city's political leaders expected their immunities to be confirmed by each king who ascended to the Polish throne. After the death of the last Jagiellonian in 1572 and the short interlude of Henry of Valois (1551–89, r.1573–74), Poland–Lithuania had to find a new ruler. Despite its Protestant majority, Danzig openly backed the Habsburg candidate, Maximilian II (1527–76, r.1564–76). The city found itself in good company with a large group of senators and nobles, not all of them Catholics, who also supported the Habsburg side, which had quickly promised support for all of Danzig's ancient liberties, including free religious exercise for the Augsburg confession. Báthory, in contrast, who ultimately gained the Polish crown in 1576, refused to confirm Danzig's laws and immunities, especially the cancellation of the statutes of 1570, introduced by Bishop Stanisław Karnkowski (1520–1603, bishop of Włocławek, 1567–1580, archbishop of Gniezno, 1581–1603), that had restricted Danzig's self-government. Hitherto, these statutes had not been implemented but quickly became the main obstacle to an understanding with the new king. Báthory issued privileges for pirates to block the port and redirected trade to the neighboring city of Elbing. These measures also hurt the nobility, as Danzig was by far Poland–Lithuania's richest and most powerful trading post.

Maximilian's death in October 1576 did not end the conflict. Despite a military defeat for the city in open battle, the Polish troops still could not scale its defensive walls. Both sides conceded.

Danzig's opposition to Báthory, as Maciej Ptaszyński has pointed out, was not only based on the idea of the right of resistance developed by its Calvinist elites during the war against a king who refused to acknowledge the city's previously confirmed immunities. The conflict emerged from "differently constructed vision(s) of the noble republic"³⁵ and Danzig's assumption that Báthory's refusal to confirm their liberties broke the contract that had been concluded between the city and the Polish crown after the Thirteen Years' War of 1454–66 when Polish Prussia's estates (nobles and cities) joined the Polish crown after the defeat of the Teutonic Order.³⁶ Danzig stressed that the city was a particular republic, which had its own history and traditions that the kings of Poland had always recognized. It was this recognition that gave the Polish monarch's rule over the city its legitimacy. The king who did not recognize the *lex* (the law), could not be *rex* (king). A solution could only be found through a repeatedly negotiated contract between two self-interests, the city's and the king's.

The Danzig lawyers and elites, many of whom had been educated in the local Gymnasium and then in Dutch or German Reformed universities,³⁷ had studied Aristotle (384–22 BCE) through commentaries that emphasized the right of resistance against illegitimate power and discussed the danger of benevolent monarchy tipping over into malevolent tyranny, just as Poland's noble education had built on Aristotelian–Ciceronian notions of the *forma mixta*, its commonweal, and the right to reject an unlawful ruler. The discourse about "sovereignty," or Jean Bodin's (1530–96) notion of undivided rule *legibus absolutus* (unbound by the laws), was not a commonwealth discourse and could not have been farther from the Danzig burghers' minds. Bodin laid out the idea that a prince could not "overstep the natural law, established by God, of whom he is the image [...] [and] will also not be able to take another's property

35 Maciej Ptaszyński, "Kto tu rządzi?: Spór między Gdańskiem a Stefanem Batorem o charakter władzy w szesnastowiecznej Rzeczypospolitej," *Odrodzenie i Reformacja w Polsce* 47 (2003): 89–103, here 90–91.

36 Karin Friedrich, *The Other Prussia: Royal Prussia, Poland, and Liberty 1569–1772* (Cambridge: Cambridge University Press, 2000), 20–29.

37 Antoni R. Chodyński, "Gdańszczanie w północnych Niderlandach w XVII–XVIII w.," *Kronika zamkowa* 6, no. 72 (2019): 261–79. For university destinations of Royal Prussians, see Marian Pawlak, *Studia uniwersyteckie młodzieży z Prus Królewskich w XVI–XVIII wieku* (Toruń: UMK, 1988), annex, table 4. Students from Royal Prussia went to Leiden, Franeker, Groningen, Utrecht, Heidelberg, Herborn, Duisburg, Basel, Frankfurt am Oder, and Marburg.

without just and reasonable cause, if it cannot otherwise be concluded than by taking the property of private individuals for the preservation of the state.”³⁸ The Danzig magistrates strongly condemned such an eventuality; the notion that no constitutional law or assembly of citizens could prevent a monarch from declaring royal confiscation of property a necessity was deemed wholly unacceptable under the *forma mixta* government of the Commonwealth. For Bodin, divine and natural law might have prevented the monarch from such an act, but there was no legal guarantee in positive law against it. Báthory’s similar refusal to give such guarantees to Danzig sparked the city’s rebellion.

If the Danzig burghers in 1577 were not familiar with Bodin’s political theory, they certainly became aware of it when the “crypto-Calvinist” professor of natural law Bartholomäus Keckermann (1572–1609) came to town. He was well acquainted with Bodinian ideas. In his *De natura et proprietatibus historiae commentarius* (Commentary on the nature and properties of history) of 1595, which he wrote in Heidelberg before he was employed as a teacher at the Danzig Gymnasium, Keckermann defined history as the foremost instrument of forming young minds instead of assigning rhetoric its hitherto dominant place.³⁹ Consequently, Keckermann was less interested in Bodin’s ideas about sovereignty but looked toward pragmatic approaches to history in the Frenchman’s *Methodus ad facilem historiarum cognitionem* (Method for the easy comprehension of history) of 1566, which he included in the Gymnasium’s curriculum as he started teaching the city’s youth about different national histories, peoples, and cities. His lessons also embraced the history of their home city Danzig, its political constitution, economy, and significance within the Commonwealth and the wider world. Even though Keckermann only spent a few years at the helm of the city’s academic school, he introduced history as an act of *amor patriae* (love of fatherland), which looked beyond the urban elites’ particular (selfish) concern for the city. The philosopher’s analysis of the city’s constitution as “status Reipublicae temperatus ex Aristocratia et Democratia” (the constitution of a temperate republic, a mixture of aristocratic and democratic forms) extended beyond Danzig’s

38 Jean Bodin, *On Sovereignty: Four Chapters from the Six Books of the Commonwealth*, ed. Julian Franklin (Cambridge: Cambridge University Press, 1992), 39 [book 1, chapter 8].

39 The treatise was first published posthumously in 1610 and later became part of Keckermann’s *Systema systematum clarissimi viri Dr. Bartholomaei Keckermanni, omnia hujus autoris scripta philosophica uno volumine comprehensa lectori exhibens*, 2 vols. (Hanau: Wilhelm Antonius Erben, 1613). See Wojciech Ryczek, “A Dangerous Domain: Bartholomew Keckermann on History and Historiography,” *Odrodzenie i Reformacja w Polsce*, Special Issue, 9 (2017): 191–213, <http://dx.doi.org/10.12775/OiRwP.2017.SI.09> (accessed December 22, 2022).

markets, its harbor, and ramparts to a body politic where burghers could participate as valued citizens of the Polish–Lithuanian Commonwealth.⁴⁰ Despite embracing Bodin's historical methodology, Keckermann's legacy was a fiercely Aristotelian–Ciceronian rejection of absolute monarchy.⁴¹ The Aristotelian language used by Keckermann, as well as other theorists of an urban background, such as Sebastian Petrycy (1554–1626) from Pilzno, reflects a consensus that crossed confessions, national identity, social background, and status when it came to urban writers' identification with the constitutional make-up of the Commonwealth and its practical political concerns. The consensus, however, did not include a king who, from Danzig's perspective, refused to confirm the law and disregarded the city's republican ethos.

Such practical matters included the right to free elections. Báthory did not intend to punish the city for not voting for him—"the king does not hold it against them that they were opposed to him during the election because in a free republic, voting should also be free"—but for resisting him after he was anointed and crowned.⁴² Despite the often reiterated trope that the Danzigers—and the rest of the Royal Prussian estates who had absented themselves from the 1576 Coronation Sejm—compared themselves with the Lithuanians as a separate nation following their own laws and distinct institutions, the opposition among the Lithuanian magnates against Báthory had already abated earlier.⁴³ Among the members of the anti-Báthory party in 1576–77, the city fathers of Danzig held out the longest. The case they presented to the king even included—after the model of the Henrician Articles, written in 1573⁴⁴—conditions under which the city could refuse obedience. Yet, the pamphlets produced by the city in justification of their right of resistance did not offer extensive theories of resistance. One explanation is that the death of Maximilian II in October 1576 left both sides little time for a sophisticated and prolonged political propaganda war.⁴⁵ Ptaszyński's suggestion that Danzig's anti-Báthorian rhetoric was directed at the German princes and the emperor, particularly after Maximilian's death, is less convincing than his suspicion that

40 Friedrich, *Other Prussia*, 78.

41 Danilo Facca, "Poland Observed by Aristotle: Some Remarks on the Political Aristotelianism of Bartholomaeus Keckermann and Sebastian Petrycy," in *Polish Culture in the Renaissance: Studies in the Arts, Humanism, and Political Thought*, ed. Danilo Facca and Valentina Lepri (Florence: Firenze University Press, 2013), 101–22, here 106.

42 Felicia Roşu, *Elective Monarchy in Transylvania and Poland–Lithuania, 1569–1587* (Oxford: Oxford University Press, 2017), 172.

43 Roşu, *Elective Monarchy*, 173.

44 Written for the election of Henry of Valois, during the first interregnum, after the death of Zygmunt II August (1520–72, r.1548–72).

45 Ptaszyński, "Kto tu rządzi?," 100.

the city wanted to ingratiate itself with the Pomeranian nobility who (against their own ruler's wishes) provided Danzig with military support in the war. More plausibly, through its contact with neighbors in the empire, Danzig wanted to demonstrate its autonomy by showing off its international connections and independent diplomacy. At the same time, convinced by the need for further negotiation, the Danzigers wrote to the king:

We do not doubt that Your Royal Majesty, as a pious and Christian prince whose glory will be increased by all you will grant to us, will not only return to us our laws and liberties but will also, by your royal clemency, increase them and return the safety of our entire city to its original magnificence [...]; we will always make sure never to neglect our service and obedience in proving our allegiance and subjection for the illustrious and true benefit of the crown [...]. Your Sacred Royal Majesty's faithful and humble subjects, the proconsuls, consuls, judicial officers, judges, and the whole community of the royal city of Gdańsk.⁴⁶

Confessional differences increased the tensions after Báthory brought in military support from the Catholic *szlachta* and primate Jakub Uchański (1502–81, archbishop of Gniezno 1562–81) by promising to revoke the Warsaw Confederation of 1573 and to implement the decrees of the Council of Trent (1564), while Danzig received additional military and naval support from Lutheran Denmark.⁴⁷ In the end, as happened frequently in the history of the Commonwealth, compromise prevailed, even if the negotiations that led to it proved difficult. The civic spirit of Danzig imitated and assimilated the principles that the republic had adopted during the first two interregna: that its public affairs had to be directed and guaranteed by the rule of law, which furthered both individual and common good, including the city's ability to negotiate its economic and political affairs with international trade partners. Danzig's common good depended on the mixed form of government of which the monarch was an essential part. The king, however, was also bound by the law and could not refuse to guarantee its implementation to all members of the republic, including the Danzig political leadership. They decided to swear the oath of allegiance to the king in return for a confirmation of all privileges and a lifting of the 1570 legal restrictions. The defense of the self-interest of the merchant community, which formed the foundation of the city's wealth,

46 Letter of May 7, 1577, in *Stefan Batory pod Gdańskiem w 1576–77 r.: Listy, uniwersały, instrukcje*, ed. Adolf Pawiński (Warsaw: Gebethner i Wolff, 1877), 50–53.

47 Roşu, *Elective Monarchy*, 176.

including the well-being of the wider urban community, had succeeded and was even strengthened.

Amor patriae included not just the small, urban fatherland but the whole republic. The city's loyalty was successfully put to test during the two wars of the seventeenth century when Lutheran Swedes claimed in vain to come as "liberators." Danzig adopted the rhetoric of being a rampart of liberty to save both crown and the Commonwealth. In the later seventeenth century, it led Christoph Hartknoch (1644–87) to assert that the superior character of the Prussian burghers' loyalty demonstrated that they were "better Sarmatian citizens" than the Polish nobility. The Danzig brewer, Elias Schröder von Trewen (1625–80), even aimed a pamphlet against the Polish nobles and the fellow cities Thorn and Elbing who during the Second Northern War (1655–60) succumbed to Swedish occupation: three daughters are promised by a treacherous matchmaker (Vice-Chancellor Hieronim Radziejowski [1612–67], a collaborator of the Swedish king Charles X Gustav [1622–60, r.1654–60]). Only one of the brides (Danzig) refuses to accept the offered Swedish bridegroom and considers suicide rather than accepting her suitor.⁴⁸ In the mind of the city's ruling elites, urban privileges and liberties, summarized as "liberty" in the singular, became synonymous with Danzig's *salus publica* (public benefit).⁴⁹ The city's special immunities remained the guarantees of a well-functioning commonwealth. The right of resistance remained a central feature in the civic consciousness of the Danzig burghers, since tyranny, disguised as "common good," could become a cause for sedition and civil war. When both sides were satisfied, the commonwealth was restored.⁵⁰ Commercial self-interest, enshrined in privileges, coincided with maintaining the common good and a well-ordered government.

48 "Preussisches Haanen–Geschrey anno 1656," Biblioteka PAN Gdańsk, rkps. 672:32ff.

49 Friedrich, *Other Prussia*, 59–61, 110–112. Cited after Reinhold Curicke, *Commentarius iuridico-historico-politicus de privilegijs* (Gdańsk: Georg Förster, 1670), 206.

50 *Declaratio vera quibus de caussis ordines ciuitatis Gedanensis cum Serenissimo Principe ac Domino Dno Stephano Rege Poloniae etc. aduersariorum suorum impulsu, iampridem in eam, que nunc etiam durat, controuersiam pertracti sunt: Pro innocentiae suae rationibus, & ipsius negotij circumstantijs palam demonstrandis in lucem edita* (Gdańsk: Jacob Rhode, 1577), PAN Gd, Od 2406 8°: *Appendix declarationis ordinum ciuitatis Gedanensis de praesenti rerum statu mense Aprili nuper vulgatae* (Gdańsk: n.p., 1577); PAN Gd, Od 2406 8°; *Anhang der Declaration der Ordnungen der Statt Danzigk, so unlangst im April an den tag gegeben unnd in den Druck gefertiget, and Grundliche Erklerung, Aus was Ursache die Ordnungen der Statt Dantzigk mit dem Durchlauchtigsten Großmechtigsten Fürsten und Herren, Herrn Stephano Könige zu Polen ic. Durch antrieb jrer Widdersacher in den jtzo noch obstehenden mitzuerstandt und Weiterung geraten und eingefüret* (Gdańsk: Jacob Rhode, 1577), PAN Gd, 5m: Od 9 8°, Uph. Q 2370; Od 2407 8°, Od 2470 8°.

4 The “Well-Ordered Government” of the City of Slutsk

The second case study considers the multi-religious city of Slutsk in the Grand Duchy of Lithuania, a private city with a mighty fortress, which had been given Magdeburg law in 1441. In the hands of the powerful Orthodox Olelkovich family⁵¹ until the beginning of the seventeenth century, by marriage and inheritance Slutsk fell to the Reformed Radziwiłł family. Private towns in the Polish–Lithuanian Commonwealth are excellent examples that allow us to contradict Weber’s thesis that early modern rulers tolerated self-government only because they had no means to control their subjects.⁵² The owner who ruled over Slutsk in the mid-seventeenth century was the Lithuanian magnate and governor of Prussia, Bogusław Radziwiłł, who had been instrumental in crushing the urban opposition in Königsberg during the rebellion against Hohenzollern sovereignty. While he had become the executor of the policies of centralization in Prussia under Frederick William the Elector of Brandenburg (1620–88, r.1640–88), Radziwiłł applied a rather different regime in the city and duchy of Slutsk.

In the dangerous outposts of the eastern borderlands of the Grand Duchy of Lithuania, it was difficult to find committed administrators willing to settle with their families. Apart from Magdeburg law, the duke (addressed as His Princely Grace, *Jego Książęca Mość*), had to offer perks to his officials. In peace times, such towns were economic powerhouses, as their products such as local grain were traded at local and national markets; some of this was used for the production of alcohol, which was sold to the local population and for which *propinacja* (alcohol tax) had to be paid to the duke.⁵³ Other sources of Radziwiłł’s income were indirect taxes such as mill fees and customs tolls on merchants, while direct taxes remained low.

Radziwiłł employed a legion of officials, nobles, and commoners, who had entered his service and leased landholdings from him, often succeeding their fathers and grandfathers in service, as surveyors, foresters, bailiffs, fortress commanders, and *starostas*.⁵⁴ While maintaining regular contact with these

51 Anastasia A. Skiepan, “Olelkowicze w XVI wieku w życiu społeczno–kulturalnym Wielkiego Księstwa Litewskiego,” in *Władza i prestiż: Magnateria Rzeczypospolitej w XVI–XVIII wieku*, ed. Jerzy Urwanowicz and Ewa Dubas-Urwanowicz (Białystok: Wydawnictwo Uniwersytetu w Białymstoku, 2003), 551–60.

52 Convincingly rejected by Murphy, *From Citizens to Subjects*, 126.

53 Murphy, *From Citizens to Subjects*, see esp. 121–51.

54 A noble territorial official or (in royal towns) a royal administrator with or without powers of jurisdiction.

officials, the magnate was keen to give detailed instructions.⁵⁵ In 1667, he wrote to his administrators in Slutsk:

We need to establish a treasury [*camera*] headed by a treasurer [*Rentmeister*] who follows my ordinances, otherwise there will never be any orderliness, [...] who takes his commands from the governor, the *starosta*, and the commissars ... controlled by a comptroller [*rewizor*], dependent alone on the lord [...] we must not give [the governor] domains or lands, but a good salary [*jurgielt*] for his services.⁵⁶

Radziwiłł appointed a trusted client from the Reformed community, Jan Pękalski (1595–1677), as commissar in Slutsk, who had to act upon the magnate’s instructions to implement *porządkowanie* (the instilling of good order), regulation, accounting, obedience, and harmonious coexistence among local urban and rural society.⁵⁷ The keyword “good order” occurs repeatedly in documents—often associated with “common good”—and echoes the animus behind what Marc Raeff (1923–2008) called the “well-governed police state,” including not just prohibitions but constructive rules for improvement.⁵⁸ Pursuing a planned population policy as early as 1652, Radziwiłł invited “citizens of Polish, Lithuanian, and foreign origin, especially of the German nation, of noble or urban status, to settle in Our City Slutsk.” Having bought a “house in Pozorowska Street,” he refurbished it to establish a church of the Lutheran denomination—intended to attract migrants from Livonia, Courland, and Prussia⁵⁹—to have religious services for Polish and German speakers, “so that they came even faster and with greater willingness.”⁶⁰ Although the poorer

55 Marek Miluński, “Zarząd dóbr Bogusława Radziwiłła w latach 1636–1669,” in *Administracja i życie codzienne w dobrach Radziwiłłów XVI–XVIII wieku*, ed. Urszula Augustyniak (Warsaw: Wydawnictwo DIG, 2009), 195–282.

56 Archiwum Główny Akt Dawnych (AGAD), AR XI, 51, [Bogusław Radziwiłł], “Observatie pewne circa politica, oeconomia,” 348–49.

57 “Aby wszelki w majątnościach Xięcia JeMsci był porządek a osobliwie Święta sprawiedliwość w sądach” (So that in the properties of His Excellency the duke be good order and in particular, holy justice in the law courts). AGAD, AR XXIII, 159/II, fol. 1. This ordinance was issued in Radziwiłł’s name by Kazimierz Kłokocki (1625–85) and Władysław Huryn (d.1664), governor and commissar of Slutsk respectively, on June 3, 1659.

58 Marc Raeff, *The Well-Ordered Police State: Social and Institutional Change through Law in the Germanies and Russia, 1600–1800* (New Haven: Yale University Press, 1983), passim.

59 Even more Protestant families were associated with the Radziwiłłs in Samogitia (Żmudź) and the ethnic Lithuanian territories; see Andrzej Rachuba, “Inflantczycy i Kurlandczycy na Żmudzi w XVI–XVIII wieku,” *Klio* 35, no. 4 (2015): 45–68, here 62.

60 National Historical Archive of Belarus in Minsk (NHAB), fond 1952, opis 1, no. 2, “Gramoty,” July 16, 1652, fols. 9–11ʷ.

Protestant nobility and the town's small Reformed urban community formed Radziwiłł's most steadfast supporters, confessional plurality remained the rule. Orthodox Ruthenians formed the majority, while the Slutsk printing press was run by a Roman Catholic client, Kazimierz Kłokocki (c.1625–84), who produced most of the Protestant hymn books and bibles printed in the Grand Duchy of Lithuania.⁶¹

In his attempt to strengthen his city economically and militarily, Radziwiłł passed numerous constitutions with privileges for the Jewish communities on which he relied for credit, but above all for trade. As a result of this endeavor, the Christian and Jewish burghers of Slutsk were treated equally before the law. One binding instruction of the city charter of 1662 read: "In trading relations, Jews are not allowed to disadvantage Christians, just as Christians are not allowed to disadvantage Jews. But nobody may trade here unless they are registered as merchants in the city, whether Christian or Jew."⁶² Property ownership (self-interest) was supposed to bind them all to an interest in promoting the common good. While Jews gained access to the town council and to guilds, mediation between the Christian and Jewish communities was essential when conflicts arose.

A recurrent conflict centered on alcohol production and sale. In a letter to his Slutsk commander, Jan Gross (d. after 1667), Radziwiłł wrote in 1656 that "our burghers in Slutsk have complained much that the garrisoned soldiers and the Jews, against our instructions, interfere with the monopoly attached to their leaseholds of serving spirits. Please make sure that the burghers can enjoy their full rights and privileges in this matter."⁶³ Six years later, however, Radziwiłł triggered Christians' protests when he decided to grant Jews the right to exercise crafts and trade as part of the urban guild structure, which benefited his own tax revenues.⁶⁴ When he transferred the right to administer the city's excise tax to the Jewish community, the non-Jewish urban community became suspicious that the ten Jewish-owned pubs in Slutsk were given preference over the six pubs owned by Christians, which, they thought, contradicted Christian law and the "natural order" of things.⁶⁵ While of eighty-eight shops in the market in 1661, twenty belonged to Jewish families, by the end of the

61 Paulina Buchwald-Pelcowa, "Kazimierz Krzysztof Kłokocki i drukarnia w Śluku," *Odrodzenie i Reformacja w Polsce* 12 (1967): 135–72.

62 Maria Cieśla, *Kupcy, arendarze i rzemieślnicy: Różnorodność zawodowa Żydów w Wielkim Księstwie Litewskim w XVII i XVIII wieku* (Warsaw: Instytut Historii PAN, 2018), 43, 45.

63 AGAD, AR IV teka 4, koperta 47, p. 17. Bogusław Radziwiłł to Jan Gross, November 7, 1656, from Königsberg.

64 Cieśla, *Kupcy, arendarze*, 50.

65 Cieśla, *Kupcy, arendarze*, 59.

century half of all shops belonged to Jews. The most trusted Jews gained the right to put the Radziwiłł coat of arms on their goods and displays.

Vehement protests against the eminent position of the Jewish merchants are reflected in numerous grievances and lively correspondence; yet, the Christian burghers' protest did not result in physical violence against the Jews. To compensate for the advantages that Jews had gained from joining the urban guilds, the duke's regulations obliged them to start their trade two hours after Christian merchants opened their shops. Part of the solution seems therefore to have been the practical steps that Radziwiłł took to address grievances. Despite occasional protests, this urban regime resulted in the relatively peaceful mixing of religious and ethnic communities in Slutsk. It was also the result of the prompt functioning of urban jurisdiction by which during the first half of the seventeenth century the Radziwiłłs intended to strengthen the position of Jews in their towns.⁶⁶ This attracted Jewish populations to Slutsk even from other Lithuanian and Belarusian towns. The common good was not just an empty slogan but seems to have resulted in high standards of infrastructure, moderate taxation, and a strong role for positive law, so that burghers, Jewish and non-Jewish, had access to justice when conflicts arose. Concerned about a commissar's trustworthiness, for example, Radziwiłł intervened in 1669, insisting that the official lower the taxes he had demanded, because "I prefer a lower tax rate so that my poor subjects do not exhaust themselves entirely, because then I will not have any benefit from them."⁶⁷

Like other magnates, Radziwiłł was not a philanthropist. In fact, he had a misanthropic disposition. His instruction stated his self-interest as a landlord and revealed the cameralist principles of his policies: prosperous citizens provided the owner with a good and secure income. In the same way as Fronsperger's treatise had advised, self-interest guided the supervision of Radziwiłł's commercial affairs, down to every detail: how much grain was stored, how many barrels of honey and oil were available, and how the trade was best sustained, after tapping into the mercantile networks that Slutsk Jews had to trade centers such as Königsberg and Danzig. The magnate entrusted administration into hands that knew the local economy and political situation well, and who cared for the well-being of his subjects.

Bogusław Radziwiłł's policy of symbiosis between the private and the public good is well expressed in one of the magnate's letters to his cousin Michał Kazimierz Radziwiłł (1625–80) in 1668. He justified his departure to the Duchy of Prussia and took on the governorship under the Hohenzollern

66 Cieśla, *Kupcy, arendarze*, 43.

67 AGAD, AR IV, teka 82, no. 947, p. 12. Radziwiłł to his commissars in Slutsk, December 2, 1669.

rule, opening himself to accusations that he prioritized his foreign career as governor (self-interest) over his duties to the fatherland (common good). The fatherland, however, had not rewarded him or his family in the way that he had expected for his services:

I understand that my expenses to the public purse and for the common good are not unknown to Your Excellency, which also aim to preserve the good name of Our House [of Radziwiłł]. I remember the last commission during which we did not achieve anything but spent 40,000 złp in vain. This way, at least, I protected our reputation against attacks from our [political] enemies.⁶⁸

5 Conclusion

Working for the common good and being a “*civis bonus*” in the noble republic meant making sacrifices, through service, taxation, or the gifting of property in a public gesture, seen by all. It was also an instrument for self-aggrandizing, a means to make or destroy one’s reputation or career. Refusing such gestures could have serious consequences for a public figure’s private well-being. Generosity was an instrument for someone wanting to avoid being called a selfish privateer, the ultimate reputation-breaker. The reason behind such public judgment was obvious: the defense of the Commonwealth frequently depended on the wealth of its noble citizens. Radziwiłł, as a member of one of the richest magnate families of the realm, was expected to provide investment in the defense effort for his fortress of Slutsk to protect the Commonwealth against its enemies from the East. It was the magnates’ civic duty to defend and impose a well-ordered government on their cities and fortresses, which Radziwiłł perfectly understood. This contribution to the common good found its equivalent in the loyalty of the rich burghers of Danzig who defended the Commonwealth in the North. Both Danzig and Radziwiłł expected to be reimbursed for their efforts, although in reality, this did not always happen. In Danzig, the city’s powerful position and the *forma mixta* monarchy forced all parties to negotiate a solution that respected the commercial interests of the urban republic and the immunities of its Protestant citizens as well as the king’s interest to restore the peace. In Slutsk, the solution was the mediation of conflicting commercial interests through detailed instructions and the rule of law over the multi-religious, multi-ethnic urban community. While the law

68 AGAD, AR IV, no. 804, Bogusław to Michał Kazimierz Radziwiłł, March 4, 1668, p. 52.

emanated from the magnate lord, the implementation followed the principle of delegation through Radziwiłł's client networks whose religious and ethnic make-up often reflected the diversity of the local society over which he established "orderly government."

It seems that self-interest could well coincide with the *bien publique*, or in the words of Jan Szczęsny Herburt (1567–1616), who participated in the Zebrzydowski uprising (1606–9) against royal power: "What is commonly good is also good in particular, public affairs develop from private ones."⁶⁹ Herburt might not have been aware of it, but he and many other Polish nobles reiterated here Thomas Hobbes's (1588–1679) thesis that in human nature private and public interests coincided. For Hobbes, this meant that the Leviathan, the absolute ruler, had to define the common good to keep the peace between the rivalling private interests of citizens. This necessarily turned active citizens into obedient subjects. It was a definition of the common good that the citizens of the Polish–Lithuanian Commonwealth, who valued civic liberties and individual freedom of conscience, could not accept. In the Commonwealth, *le bien publique* never turned into *le bien d'État*.

69 "Co jest in communi dobrego, to też in particulari dobre, publica ex privatis constant." In "Punkta poddane od Jmści Szczęsnego Herburta r. 1608 w Krakowie," in Jan Czubek, *Pisma Polityczne z czasów Rokoszu Zebrzydowskiego, 1606–1608*, 3 vols. (Kraków: Nakł. Akademji Umiejętności, · 1918), 3:430–35, here 432.