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*The Conference “Lublin 1317 – narodziny miasta europejskiego.
Lublin 1317 – Die Geburt einer europäischen Stadt. Lublin 1317 –
the origins of an European city”, UMCS, 26–28 June 2017*

Konferencja „Lublin 1317 – narodziny miasta europejskiego. Lublin 1317 – Die Geburt einer europäischen Stadt. Lublin 1317 – the origins of an European city”, UMCS, 26–28 czerwca 2017

In Western Europe, including Germany, municipal law – called the German (town) law in Central and Eastern Europe – is treated as an obvious form of organization of towns and villages in the Middle Ages and in the Modern Period, therefore being seldom the subject of historical reflection. The case is different with contemporary Poland and the areas that were former constituents of the Polish-Lithuanian state. In these territories, the German town law was and is treated in a special way. It is regarded as a sign of some dignification of a community that was based on that law because the law in question is treated as a manifestation of Europeanism: the category understood as a reasonable and rational, almost democratic organization of a community in contrast to “Eastern despotism”, or even barbarity, in which there would be no room for self-government or even respect for an ordinary person.

Even if we see some exaggeration in this stereotyped perception of the significance of German town law, whose extent defined the cultural boundaries of Europe¹, we cannot fail to notice its actual influence or how highly it was and is respected among the wide population of the former Commonwealth of Poland. A good tangible testimony to this phenomenon is the Monument to the Magdeburg

¹ M. Bogucka, H. Samsonowicz, *Dzieje miast i mieszczaństwa w Polsce przedrozbiorowej*, Wrocław 1986, p. 55 ff.

Law built in Kiev in 1802 to commemorate the regaining of self-government rights by the city – after almost 150 years – on the wave of the liberal thaw initiated by Tsar Alexander I².

An example of mental changes brought by the German town law can be the situation, in which Kiev came under the rule of the Grand Duchy of Moscow and lost the European municipal rights. In 1659 the Dnieper Cossacks, who had revolted against the Polish-Lithuanian state, surrendered to the authority of the Moscow Tsar. Russian garrisons were stationed in their country, and Muscovite officials demanded from the Cossacks to swear the oath of allegiance to the Tsar. The Cossacks, who gathered at the assemblies, promised such oaths but wanted the Tsar also to take an oath granting privileges to the Cossacks. At the Moscow court, no one could believe that someone required an oath from the Tsar, who was perceived as a sacred figure who could do whatever he wanted without consulting anybody. That was a real clash of cultures because also on the Dnieper they could not believe that the Tsar was outraged by even being asked to swear an oath³. After all, in the past the Polish kings swore pledges, and so did the Cossacks. Both sides did not necessarily fulfill their oaths, but the conflicts were usually solved by negotiations, which were finalized with further compromises and oaths. The game was played until the Catholic bigots achieved supremacy in the Polish-Lithuanian Commonwealth and imposed the so-called Brest Union⁴. And this fact was the most important reason for the Orthodox Cossacks to turn to Orthodox Moscow.

A lack of knowledge always has its consequences. In the case of the year 1659, the Cossacks did not know that this time no king was their partner and the bargaining game was over. Hundreds of resisting Cossack commanders were captured, tortured and finally murdered. The remaining frightened leaders swore everything that the Tsar wanted.

Apparently, the plot of this Cossacks-Tsar story is quite different from the subject of the presented here conference. But in fact, it clearly shows the differences between the world of culture formed by the existence of the municipal law (in the eastern parts of the Polish-Lithuanian Commonwealth, it was almost always the Magdeburg Law) and the world that practically did not know this kind of social organization and the whole society was fully dependent on the state authority.

The Magdeburg Law in Eastern Europe was certainly often of poor quality, the cities were many times almost defenseless against the lawless, anarchized magnates. Nevertheless, it was the Magdeburg Law that introduced into Central

² G. Schäfer, *Kiev, Rundgänge durch die Metropole am Dnepr*, Berlin 2011, pp. 80–82.

³ S. Plokhy, *Ukraine and Russia Representations of the Past*, Toronto 2008, p. 92 ff.

⁴ Tollet, *Religious Existence and Competition in the Polish-Lithuanian Commonwealth c. 1600*, [in:] *Religious Existence and Cultural Exchanging in Europe, 1400–1700*, Vol. 1: *Cultural Exchange in Modern Europe*, eds. H. Schilling, I.G. Tóth, Cambridge, pp. 64–87, 76 ff.

and Eastern Europe the system of social organization, whose most characteristic feature was – to put it briefly – to seek to minimize violence and maximize profit.

This was, of course, an ideal. We know from many sources, including the papers read at the conference, that the reality varied. But it should be strongly observed that contrary to what Karl Marx claimed, consciousness is a factor of reality, and being does not, in fact, determine consciousness but it (being) is subordinated to the world of ideas. This is absolutely obvious and fundamental.

For the foregoing reasons the idea of municipal law and its implementation in Lublin, Poland and in Central-Eastern Europe, having been the subject of the present conference, are important and essential for all discussions concerning the history of our Continent.

But let us leave the generalities and fix our attention on the conference occasioned by the celebrations of the 700th anniversary of granting Magdeburg Rights to the city. Owing to the papers presented during the sessions we could know many things better. Starting from the microscale – from Lublin – and ending with more general questions related to the Magdeburg Law, we can shortly summarize the papers delivered in Lublin in June 2017.

At the beginning, Ryszard Szczygieł (UMCS, Lublin) presented the development of the city from its foundation until the 15th century. His rather traditional theses were contrasted with the paper of Piotr Okniński (Warsaw University), who thinks that the process of forming the legal and spatial basis for Lublin's community was connected with the reforms undertaken by the king. Both papers provide a basis for other considerations.

Przemysław Tyszka (UMCS, Lublin) tried to familiarize us with the cultural and socio-topographical aspects of the space of Lublin in the 15th century. The picture of the city in the late Middle Ages until the early Modern Period was complemented by Wojciech Michalski's paper (Hieronim Łopaciński Provincial Public Library, Lublin) on the legendary traditions supporting the identity of the Lublin community.

A very good ground for understanding better the historical problems associated with Lublin and its legal and social status was provided by the paper showing many aspects of the functioning of the Magdeburg Law in Poland and Europe. Consequently, owing to Zdzisław Noga (Pedagogical University of Cracow), we had an opportunity to know important aspects of the Cracow self-government, which existed in the Middle Ages and in the Modern Period. Wieland Carls (The Saxon Academy of Science, Germany) showed some general features of the practice of Magdeburg Law in Old Poland. His interesting theses were in some aspects complemented by Katalin Gönczi (The Saxon Academy of Science, Germany), who placed the subject in the context of the whole of Eastern Europe. Her paper could be compared – in order to make further considerations – with the thesis of Caspar Ehlers (Max-Planck-Institut for History of Law, Frankfurt am

Main) on the spatial conditions of the functioning of the Magdeburg Law, and with similar attractive ideas advanced by Christian Lübke (GWZO Leipzig, Germany) regarding the forms of city self-government in Eastern Europe. At this point, we should mention Marija Lazar (The Saxon Academy of Science, Germany) and her considerations on the linguistic aspects of expressing the legal traditions in the former Polish-Lithuanian state.

No serious conference whose subject pertains to the problems of the functioning of the Magdeburg Law in Eastern Europe could omit the very special city of Lviv (Lvov, Lwów, Lemberg), which was a real phenomenon with its surrounding region. Therefore, the city and its surroundings should also have their place in our considerations.

Andrzej Janeczek (Polish Academy of Science, Warsaw) showed us how the early urban communes under the German town law developed in Halich-Volhynian Rus' from the 13th to mid-14th century. And Jürgen Heyde (GWZO Leipzig, Germany) spoke on multi-ethnicity and city law regulating the life in late medieval Lviv.

Similar important problems of the functioning of the Magdeburg Law in the sphere of Hanseatic influence were presented in two papers. Oliver Auge (University of Kiel, Germany) analyzed the large problem of the relations between the Hansa and the local authorities in other countries, while Roman Czaja (University of Toruń) tried to look inside the city walls in order to learn more about the sometimes difficult co-existence between the community and city oligarchy. The problem was, of course, conflicts, and sometimes violence. How they could be solved was shown by Hermann Kamp (University of Paderborn, Germany) using the context of the whole Reich in the Upper Middle Ages.

The participants of the conference did not confine themselves only to the urban matters. Wojciech Mrozowicz (University of Wrocław) discussed an interesting problem concerning the Franconian Law and its presence in medieval Silesia. Matthias Hardt (GWZO Leipzig, Germany) presented the question of self-government in the communities of Western Slavs. And, last but not least, Valentina Zovko (University of Zadar, Croatia) described the problem of the development of urban settlements in medieval Croatia.

In concluding this brief report, it should be emphasized that the conference was organized by the UMCS Institute of History in collaboration with the Leibniz-Institut für Geschichte und Kultur des östlichen Europa/Leibnitz-Institute for History and Culture of Eastern Europe (GWZO) in Leipzig, under the auspices of the Standing Committee of Polish Medievalists. Financial support was provided by the UMCS Faculty of Humanities and the City of Lublin, Department of Culture.