

Janusz Tazbir

The Annihilation of the Arian “Capital”

The history of the fall of Raków was the subject of a special short dissertation by Józef Stańko¹ already 35 years ago. At present, however, that work is absolutely insufficient. On the one hand (as stressed in a review of Stańko’s dissertation²), the author did not make use of all the sources available to him and committed many oversights and inaccuracies;³ on the other, since the time the work was published, new, fairly important sources clarifying the circumstances connected with the Raków trial have been added. Since the trial brought about the annihilation of the main centre of the Polish Brethren in the first half of the seventeenth century, it seems necessary to re-discuss the 1638 events, so tragic for the Polish Arianism, on the basis of more extensive sources.

Founded in 1569 by the Calvinist voivode of Podole, Jan Sienieński, Raków has twice played a leading role in the history of our Antitrinitarianism. First, between 1569 and 1572, as a centre of supporters of social radicalism and then again, from the beginning of the seventeenth century until 1638, as a seat of the academy and typography famous all over Europe and the place of many synods grouping the best Arian thinkers. It is not surprising, then, that the Raków centre was a thorn in the flesh of the opponents of the Polish Brethren who referred to it in an anti-Arian pamphlet printed in the early seventeenth century as a

¹ J. Stańko, *Upadek Rakowa. Fragment z dziejów arian polskich za Władysława IV. Sprawozdanie Dyrekcji Gimnazjum Kota Pol. Macierzy Szkolnej w Brzezinach Łódzkich za okres 1916–1926* (Brzeziny Łódzkie, 1926), pp. 23–33.

² Cf. *Reformacja w Polsce* 4 (1926), pp. 239–240 (review by W. Budka).

³ Not all of them are marked in the relevant parts of this article because it would take too much space and would not contribute any significant moments.

Villain's synagogue which, even though glowing today,
Will be wiped from memory by God some day

Sigismund III Vasa was urged in 1607 to destroy Raków, and, in the following years, that small town had to buy itself out of plunder several times to various military units, including Lisowczycy in the first place. The latter, though, plundered Raków in 1623. Even so, the successful development of the Arian "capital" was not stopped.

Following the destruction of Polish Brethren's churches in the largest cities (1591 – Cracow, 1627 – Lublin), the opponents of Arianism started to persecute that religion at private properties of noblemen. This is evidenced by a series of lawsuits brought (after 1627) against the Polish Brethren in Volhynia and Lublin.⁴ We do not know the extent to which those actions were the result of an independent initiative of the local clergy on the one hand and the deliberate Counter-Reformation planned and coordinated on a national scale on the other. The events connected with the Raków case, however, seem to speak for the latter conjecture, as we will see later.

First of all, one can notice the action of the methodical winning over of the town's Catholic neighbourhood against that Arian town. The Counter-Reformation did not manage to build a church or even a chapel in Raków. The bishop of Cracow, Jędrzej Lipski, once offered the town's owner, Jakub Sieniński, several thousand *złotys* in vain for selling a site for the construction of a church.⁵ Unable to attain his end, the bishop ordered to build a church in the village of Drogowle situated less than two kilometres away from Raków. The church, supplied by Lipski with a fund of 6,000 Polish *złotys*,⁶ was commissioned in 1633 (i.e., two years after his death) as a parish church for the residents of Drogowle and Raków. The foundation's aim was undoubtedly to "spread propaganda among the Arian and also Catholic residents of Raków".⁷ The church in the nearby village of Szumsko probably also served the same purpose. Both Catholic parish priests must have been disliked by the Arian population of Raków, since, in 1635, the local townsman whose name was Pleban brought an action for

⁴ Cf. J. Tazbir, "Walka z Braćmi Polskimi w dobie kontrreformacji," *Odrodzenie i Reformacja w Polsce* 1 (1956), esp. pp. 192–193.

⁵ Cracow, Princes Czartoryski Library (Biblioteka XX. Czartoryskich [hereafter: Bibl. Czart.]), MS 135 (*Teki Naruszewicza*), fol. 237.

⁶ J. Wiśniewski, *Dekanat opatowski* (Radom, 1907), pp. 385–386.

⁷ W. Urban, *Chłopi wobec reformacji w Małopolsce w drugiej połowie XVI w.* (Warszawa, 1959), p. 238.

an offence to the alderman's court in Raków against another townsman called Wiński. Wiński compared Pleban to the Catholic parish priests in Drogowle and Szumsko.⁸ As it seems, the latter interfered in the town's internal affairs, probably stirring up the Roman Catholic minority against the "heretic" majority.

The Counter-Reformation was also successful in using Szumsko's owner, Jerzy Rokicki, to aggravate the relations. In the previous literature on the Raków case the parson of Szumsko and Rokicki (stereotypically called a "poor nobleman" after Radziwiłł⁹) were treated as two different individuals.¹⁰ Meanwhile, father Wiśniewski's monograph on the Opatów deanery includes that Rokicki's epitaph (from the church in Szumsko) which clearly shows that Sienieński's antagonist was a priest. Rokicki's fortunes were very rich: he fought with the Turks and Moscow, toured around almost entire Western Europe, and, upon coming back to his homeland "sacris Honoratus", funded a new brick church in Szumsk on the site of the old wooden one. Rokicki died in 1640. He funded the church (as father Wiśniewski supposes) already as a priest in 1637.¹¹ In 1638, at the time of the Raków trial, he must have been a Catholic cleric.

In the light of that fact, overlooked by the previous historiography, it seems quite probable that Rokicki – no doubt an ardent Catholic subordinated to the church also in hierarchical terms – could have been used by the curia as a pawn in their conflict with the Arian owner of Raków. It becomes clear now why he was in dispute with Sienieński over the borderline separating his estate from the Raków land. Moreover, Rokicki's erecting a cross with the crucified Christ on the controversial borderline seems to be something more than a method of holding the opponent in check in borderline disputes practiced in the seventeenth century. The crucifix was a border post difficult to remove for the opponent without exposing oneself to the charge of sacrilege. Jesuits were the only ones who knew how to handle

⁸ Ibidem, p. 192.

⁹ A.S. Radziwiłł, *Pamiętniki*, vol. 1 (Poznań, 1839), p. 370, writes that Sienieński had a squabble over borderlines with another nobleman, poorer than Sienieński, which is almost literary repeated after him by Sz. Morawski, *Aryanie polscy* (Lwów, 1906), p. 150.

¹⁰ Cf. Stańko, op. cit., passim, more recently S. Tync, "Wyższa szkoła Braci Polskich w Rakowie. Zarys jej dziejów (1602–1638)," in: *Studia nad arianizmem* (Warszawa, 1959), p. 385.

¹¹ Wiśniewski, op. cit., pp. 499–500.

such an obstacle. In an eighteenth century collection of anecdotes there is a funny story¹² about a nobleman who put “two crosses on the Jesuit borderline” in his dispute with the order. Father Bujalski¹³ ordered to knock them down and, faced with charges, he replied wittily that had there been a third cross he would have left it because Lord Jesus was hanging on the third one, and villains on the other two. Thus, these were not “figurae but ordinary trees on our land”.

What a Jesuit could get away with was not acceptable for the Arians, especially that, in their case, every disturbance of a roadside cross was treated as a deliberate sacrilege, which father Rokicki must have been well aware of. The Polish Brethren, even though they did not shirk adoring Christ, they did not consider him God, and some of them called the cult for all the images of the Passion almost an “idolatriy”. Quite many sources from the second half of the sixteenth century and the beginning of the following century refer to the Arians cutting down roadside figures and burning crosses put in the fields. Not all of these accounts can be trusted, but, nevertheless, it should be said that the Polish Brethren were fairly intolerant of the objects of the Catholic cult.¹⁴ Moreover, as early as 1626, the crucifix was insulted by the pupils of the Arian school. On 10 September 1626, children from the Polish Brethren’s school in Lachowce in Volhynia “ordered by their elder went out all together and shattered the crucifix of the Lord’s suffering put up behind the town with stones and reduced to ashes calling him a blockhead and clowning around”. We are aware of this fact from the protestation of the Lachowce prior, Father Jerzy, addressed on 28 October 1626 against the owner of Lachowce and the founder of the local school, Paweł Krzysztof Sieniuta. According to the next protestation (of 29 April 1627), the pupils of Lachowce were to destroy the crucifix “on the order of minister Piotr Moskowski [Morzkowski] and their elders”.¹⁵

¹² Quoted after a collection of texts: *Dawna facecja polska (XVI–XVIII w.)*, ed. J. Krzyżanowski, K. Żukowska-Billip (Warszawa, 1960), p. 468.

¹³ As the publishers of the abovementioned collection suppose, it is Father Marcyan Bujalski, a Jesuit who died in 1677. In such a case, the anecdote would have taken place in mid-seventeenth century, i.e., at a time not very distant from the Raków trial.

¹⁴ Cf. W. Urban, “Praktyczna działalność Braci Polskich wobec chłopów,” *Odrodzenie i Reformacja w Polsce* 5 (1960), p. 123.

¹⁵ Kórnik, PAS Library (Biblioteka Polskiej Akademii Nauk), sign. BK 1855. It is a collection of unnumbered court materials on the Arian gentry in Ukraine in

The Lachowce developments repeated 12 years later near Raków. In the first half of March 1638, seven pupils of the local Academy, aged probably between 7 and 8,¹⁶ went for a walk during the recreation under the care of two teachers, Salomon Paludius¹⁷ and predicate Andrzej.¹⁸ According to Arian reports (by Samuel Przyppkowski),¹⁹ those pupils started recklessly throwing stones on the road and hit the cross put up by Father Rokicki. Frightened by its destruction they buried the crucifix in the ground and swearing to keep it secret returned to the town. According to Catholic sources, they did it on purpose: first they were throwing stones or shooting with a bow, then, having knocked the crucifix down, started to hurl abuse at it, trample on it, and beat with sticks until they finally destroyed it all ("hurling abuse at the Christ's figure chopped it up" – Albrecht Stanisław Radziwiłł).²⁰ The sources of both sides are consistent then that the Raków students destroyed the borderline crucifix deliberately (or by coincidence). Two of those present were mentioned as the main culprits: Babiński²¹

the first half of the seventeenth century unknown to the monographer of Ukrainian Socinianism, Orest Lewicki.

¹⁶ At least this is what Nuncio Visconti claims in his message sent on this matter to Rome on 24 April 1638 (*Studia nad arianizmem*, p. 525), noting that all pupils got a licking for this from their parents. However, had they really been only children, Niemiryż would not have later proposed to behead two of them; cf. hereafter.

¹⁷ Paludius, a theology graduate of the Raków school, from 1623 minister and teacher at several Arian centres, from 1633 helped Jonasz Szlichtyng in performing the duties of the principal of the Raków school (cf. Tync, op. cit., p. 366).

¹⁸ It was impossible to identify the name of that minister. It is characteristic that no Arian source gives that name, probably to protect that Andrzej against persecution. It could not have been Andrzej Wiszowaty, because having been convicted of infamy, that Andrzej (cf. hereafter) would not have dared showing up at the Warsaw Sejm in 1639 as Wiszowaty did; cf. L. Chmaj, *Bracia Polscy. Ludzie, idee, wpływy* (Warszawa, 1957), p. 356. Perhaps that Andrzej is Andrzej Wojdowski, son of a known Arian writer, also Andrzej.

¹⁹ S. Przyppkowski, *Concept o sprawie JMP Jakuba Sienieńskiego z Sienna W.P., która się toczyła na sejmie warszawskim Anno Dom. 1638*, after: L. Chmaj, *Samuel Przyppkowski na tle prądów religijnych XVII wieku* (Kraków, 1927), p. 204; S. Lubieniecki, *Vindiciae pro religionis libertate*, after: K. Sandius, *Bibliotheca Antitrinitariorum* (Freistadii, 1684), p. 278, note.

²⁰ Bibl. Czart., MS 135, fol. 113; Radziwiłł, op. cit., vol. 1, p. 371.

²¹ Przyppkowski, op. cit., p. 211, where that student appears as Babinius. This name is given in a Polonized form (Stańko, Tync) as: Babinecki (after the Polish translation of Radziwiłł's diary). Meanwhile, it is undoubtedly Babiński. He

and Falibowski, known for their impudent acts,²² and often reprimanded at school for their misbehaviour.²³ The Catholics claimed that they were persuaded to do it by the wife of the owner of Raków, Zofia Sienieńska nee Struś,²⁴ apparently without her husband's knowledge. The news of the incident soon reached the parish priest of Szumsko, Father Rokicki,²⁵ who naturally immediately reported it to his ordinary bishop, Jakub Zadzik, a typical representative of the militant and aggressive Counter-Reformation.

Aware of the dangerous situation, Jakub Sienieński sent delegates to the bishop to ease the incident. At the same time, Babiński and Falibowski were expelled from the Raków Academy and punished by their parents.²⁶ Zadzik, however, who probably waited for a similar

appears as Babiński in the official records of parliamentary proceedings in 1638; Cracow, Jagiellonian Library (Biblioteka Jagiellońska [hereafter: Bibl. Jagiell.]), MS 2274, fol. 24ver. He was probably a son of the owner of Babin (Volhynia Voivodship, Łuck County) where an Arian church, and also a school, for a short time though, were located at that time; cf. S. Lubieniecki, *Historia Reformationis Polonicae* (Freistadii, 1685), p. 277. That Babiński was perhaps the son of Piotr and Jadwiga Babiński who were in close relationships with the Hojskis and married their daughter to an Arian, Mikołaj Lubieniecki; cf. A. Boniecki, *Herbarz polski*, vol. 1, Pt. 1 (Warszawa, 1901), p. 61.

²² Probably son of Piotr Falibowski, an Arian nobleman from Volhynia; cf. O. Lewicki, "Socynianie na Rusi," *Reformacja w Polsce* 2 (1922), p. 218.

²³ Cf. Tync, op. cit., p. 385. Ruar (in his letter to Jan Naerane on 24 May 1638 from Gdańsk) states that the offence was committed by "Tres adolescentes seu pueri per petulantiam"; quoted after: J.M. Ossoliński, *Wiadomości historyczno-krytyczne do dziejów literatury polskiej*, vol. 1 (Kraków, 1819), p. 296. All other sources mention two culprits. It seems, however, that, being far away from Raków at that time, Ruar could have been imprecisely informed.

²⁴ Radziwiłł, op. cit., vol. 1, p. 370. Sienieński (1560–1639) was married thrice: 1° voto – Anna from Bielsk Wierzbęcianka (d. 21 Oct. 1618), 2° voto – Dorota from Brzezie Chrzęstowska (buried 4 April 1630), and 3° voto – Zofia Strusiówna (daughter of Jakub Struś, *starost* of Halicz). The last one outlived – as it seems – her husband; cf. *Cztery broszury polemiczne z początku XVII wieku*, ed. H. Górńska, L. Szczucki, K. Wilczewska (Warszawa, 1958), pp. 286, 332; K. Niesiecki, *Herbarz polski*, vol. 8 (Lipsk, 1841), pp. 539–540, and Piotr Morzkowski's speech at Sienieński's funeral, Rotterdam, Remonstrant Library (hereafter: Bibl. Remonstr.), MS 527.

²⁵ According to an account unconfirmed in other sources (chronicle of father Gielżyński, a parish priest from Strzyżów in the former Połaniec deanery (quoted by Wiśniewski, op. cit., p. 382) Father Rokicki, who allegedly was personally a witness of the whole incident, wanted to prevent the Raków pupils from committing sacrilege, for which he was stoned by them.

²⁶ Cf. Sandius, op. cit., p. 233.

occasion for years, was not inclined to compromise at all. He started a private investigation on site and sent letters "acerbissimae in Racovienses invectivae plenae" to the regional diets in Proszowice and Opatów, calling for severe punishments for the Arian blasphemers.

The Proszowice diet, where the Polish Brethren were very influential and had many supporters, did not give in to the anti-Arian action. The deputies gathered at the diet did not consent to submitting the case to the Sejm (Lower House), advising the bishop to take ordinary legal action. The gentry gathered at the Opatów diet initially assumed a similar attitude. It was partly due to Sienieński's letter to the diet and partly to the efforts of some of his friends. Finally, however, the intervention of the Sandomierz voivode, Jerzy Ossoliński, prevailed, with his religious zeal exceeding even that of the bishops.²⁷ Together with a group of gentry fanatically devoted to the Catholic Church he exerted pressure on the diet to additionally order its delegates to raise the Raków case at the Sejm and demand that the deputies should most effectively punish the guilty ones to turn away divine retribution for that exceptional blasphemy.²⁸

At the same time, the Catholic bloc waged fervent propaganda among deputies and senators and incited them by recalling Arians' insults to Catholics and the Church in speech, writings, and deeds.²⁹ Jerzy Ossoliński was the one who distinguished himself particularly by campaigning for putting the Raków case on the agenda of the Sejm debate, while, at the same time, presenting the incident to the Senate as if the guilt of the Raków residents was already proven. Ossoliński called for an *extra ordinem* investigation, while, at the same time, urging the Sandomierz deputies to make an appropriate accusation in the Chamber of Deputies.³⁰ When the ground was considered to be prepared, the Raków case was put on the agenda of the Sejm session (started on 10 March) on 19 March,³¹ an extremely convenient

²⁷ Cf. L. Kubala, *Jerzy Ossoliński* (Lwów, 1924), pp. 116–117.

²⁸ Przykowski, op. cit., pp. 204–206; Bibl. Jagiell., MS 2274, fol. 59, "Animadversia na mandaty JMP Sienieńskiemu," point 2.

²⁹ That action was apparently staged with the participation of Sienieński's own son, Kazimierz, who converted to Catholicism during his studies in Vienna and died as a Jesuit (in 1660); Tync, op. cit., p. 325; K. Niesiecki, op. cit., vol. 1, p. 259.

³⁰ Przykowski, op. cit., pp. 206–207.

³¹ The proceedings of the Sejm session on 19 March are presented on the basis of "Diariusz sejmu 1638 r.," kept at Bibl. Jagiell., MS 2274, fols. 10–10ver. (hereafter: "Diariusz Jagiellonki"); and "Recesy Stanów Zachodnio Pruskich" ("Recessus

moment for the Catholics. On that day,³² dissenters complained about the harm they suffered (in connection with the discussion on item 1 of “pacta conventa” treating “de religione”). Showing that they were subject to “violation of law, and their faith and freedoms of the gentry were attacked”, they threatened they would not permit further discussion until their demands were satisfied.

Attempts to change the course of discussion were futile. Only one of the Sandomierz deputies, royal secretary Stanisław Szczucki, managed to do it, telling “with great sorrow” how the crucifix was blasphemously insulted by students in his voivodship near Raków. His speech aroused exceptional commotion in the Chamber of Deputies who started yelling in demanding an investigation into that case and a relevant punishment “so that those indecent criminals” could not get away with it. The Protestants were initially passive, but Catholic Wielowiejski³³ spoke in defence of the Arians warning that “no harm” should be done (by guessing: to the gentry).

Before all the deputies noticed, however, the more fervent part of the Chamber sent a deputation to the Senate and the king, with the Sandomierz Lord High Steward, Stanisław Skarszewski, and the Puck starost, Jan Działyński, as its members.³⁴ The deputation was to ask

Comitorum generalium pro die 10 Mensis Marty An. 1638 Varsaviam indicatorum” [hereafter: “Diariusz Gdański”), Gdańsk, State Archives (Archiwum Państwowe), Dz. 300, 29, no. 121, fols. 147ver.–149. The two official records of parliamentary proceedings are supplementary and are inconsistent only on two items marked in the footnotes.

³² The previous historiography based on Radziwiłł’s diary (op. cit., vol. 1, p. 370) and the official records of parliamentary proceedings in 1638, the quoted above “Diariusz Jagiellonki”, assumed that the Arian case was submitted to the Sejm as late as 23 March. In this context, how can we explain the fact that the king informed Zadzik about the Sejm’s decision already on 20 March; the letter of the inquisitors appointed by the Sejm calling on the people to give evidence is also dated to the same day (cf. Bibl. Czart., MS 135, fols. 107, 113). This contradiction is resolved by the official record of parliamentary proceedings (the quoted above “Diariusz Gdański”) which notes that the debate on the Arian case started as early as 19 March 1638.

³³ Probably Aleksander Wielowiejski from Wielka Wieś, a tax collector from the Cracow Voivodship, often appearing in *Akta sejmikowe województwa krakowskiego*, vol. 2, ed. A. Przyboś (Kraków, 1953–1955). The files of the pre-Sejm regional diet held on 27 January 1638 have not survived and, therefore, we do not know for sure which deputies were elected in Proszowice.

³⁴ “Diariusz Jagiellonki” only mentions the sending of Skarszewski (fol. 10ver.), while “Diariusz Gdański” reads that: “gewisse Deputierte darunter auch starosta puczki gewesen in die Senatorenstuben geschicket” (fol. 148).

the king to carry out a fast investigation on his own behalf and on behalf of both the Sejm chambers and mete out severe punishment. Ossoliński replied on behalf of the king, "thanking for such zealotness" and permitted an immediate investigation to be launched. To this end the king appointed a committee of enquiry composed of: representatives of the Senate (Sebastian Wołucki, Małogoszcz Castellan and Rawa *starost*) as well as royal secretary, and the Płock Cantor, Father Filip Lipski.

The appointment of an immediate investigation resulted in commotion, especially that, at the same time, the king, "having praised that zeal demanded through Skarszewski (on the advice of Zadzik or Ossoliński) that the Chamber of Deputies should unanimously permit a *summarium processum*".³⁵ Until then the summary procedure was used only for runaway peasants³⁶ but never for the gentry. It is not surprising then that deputies of other faiths: Brześć Judge Piotr Kochlewski, Bełz Voivode Bogusław Leszczyński and Wschowa Judge Jan Szlichtyng protested against such a settlement, stressing that summary procedure might not apply to the gentry. They agreed, on the other hand, to an immediate investigation, making it clear, at the same time, that the inquisitors should submit a report on the investigation to the Chamber. To make it possible for the Chamber to exercise control over the course of events, two deputies (Piotr Grodzicki, Różan Chamberlain, and Adam Sulgostowski, a deputy from the Sandomierz voivodship) were added to the committee of enquiry, thus increasing the number of inquisitors to four.³⁷ The sentence was to be carried out already in a normal way ("*executia suo modo et via*") to prevent a violation of the binding laws. Thus, contrary to the initial opponents who termed an immediate investigation as "contrary to the law", both the dissenters and the Catholics agreed "in one hour"³⁸ to carry it out.

It was quite different with the summary procedure which some deputies categorically opposed. Catholics kept arguing in vain that unusual crime should be tried under summary procedure, and blasphemy against God was such a crime. Finally, however, they consented

³⁵ Chmaj, *Bracia Polscy*, p. 485 (from the brochure *Errorry Nowego Pieczętarza* directed against Ossoliński, reprinted therein).

³⁶ Cf. Z. Kaczmarczyk, B. Leśnodorski, *Historia państwa i prawa Polski od połowy XV w. do r. 1795*, vol. 2 (Warszawa, 1957), p. 54.

³⁷ Inquisitors' names and ranks are given in Bibl. Czart., MS 135, fol. 113.

³⁸ From Ossoliński's letter to Zadzik, 24 March 1638 (Bibl. Czart., MS 135, fol. 115).

to Jakub Sobieski's persuasions.³⁹ Probably treating it as a sabotage and putting the opponent in check, the Lithuanian Protestants on the same day tried to attract the attention of the Chamber of Deputies to the desecration of the corpse of the Vilnius mayor dragged out of the "soil" by Jesuit students.⁴⁰ They demanded that the excess be adjudicated parallel to the Raków case. Catholics, in turn, did not want to agree to that, explaining that the first complaint referred to the insult of the human body, while the other to an insult to God's Majesty. Therefore, the two events should not be compared. Catholics did not want to notify the king about the Vilnius incidents.

On 24 March, Belz Voivode Leszczyński demanded that delegates be sent to the king to ask him to appoint inquisitors to examine the Vilnius case. Such a delegation was appointed with certain reluctance. It went to the king "with the case of the Evangelicals for the insult of the body and [with] what happened in Vilnius" but returned with nothing.⁴¹

Meanwhile, an energetic investigation already started in the field. In his letter to bishop Zadzik of 20 March 1638 the king called on him to extend assistance in the pending investigation "out of his pastoral duty". To this end Zadzik should send a few of his clerics to the misdemeanour scene to help the inquisitors, calling on the faithful from the pulpits in the parishes close to Raków to give evidence.⁴² Jerzy Ossoliński's letter to Zadzik (written on 24 March 1638)⁴³ shows that they did not content themselves with that method. The chancellor, triumphantly announcing the Sejm's decision that the perpetrators of the insult to the crucifix should be tried and punished in "extraordinario processu (as in crimine horrendo, inaudito in our nation)", sent the bishop an enclosed announcement of the inquisitors written in Warsaw on 20 March 1638. The announcement calls on all possible witnesses to give evidence. To this end, "anyone who knows anything on this case and because of whom and when that incident happened"

³⁹ Budka (op. cit., p. 240) writes that Jakub Sobieski tried to drive a wedge between Arians and other dissenters with his speech but fails to give the date of that speech or where he took this information from.

⁴⁰ It was Jakub Gibel, a Lutheran mayor of Vilnius from 1618, who died on 13 November 1637. During the funeral the mob threw out his body from the coffin, dragged his corpse in the gutters, and stoned it; J.I. Kraszewski, *Wilno od początku jego do roku 1750*, vol. 2 (Wilno, 1840), pp. 17–18; T. Turkowski, "Gibel Jakub," in: *Polski Słownik Biograficzny*, vol. 7 (Kraków, 1948–1958), p. 422.

⁴¹ "Diariusz Gdański," fol. 149; "Diariusz Jagiellonki," fol. 10ver.

⁴² Bibl. Czart., MS 135, fol. 107.

⁴³ Ibidem, fol. 115.

was to turn up in the village of Szumsko on 31 March, contributing with one's testimony to turning away God's vengeance "which used to come upon states after such sins".⁴⁴ In his quoted letter of 24 March Ossoliński recommended reading the inquisitors' announcement from the pulpits and then nailing it to the church doors, the Raków town hall, and wherever the bishop found it appropriate.

Already three days before the appointed date the Bodzentyn dean⁴⁵ and, at the same time, the Drogowle parish priest, calling on the parishioners from the pulpit to turn up for the investigation on 31 March, mentioned the names of Paludius and predicate Andrzej, explicitly suggesting that they were the true perpetrators of the crime. It is not surprising then that all the parishioners who came to Szumsko on the fixed date, claimed in one voice that both Arian teachers were the main culprits, even though they heard it from the preacher in Drogowle. Both Andrzej and Paludius escaped in fear of being tortured. Pupils Babiński and Falibowski, who converted to Catholicism in fear of repression, did not want to give evidence against their former preceptors. Babiński, who was sent to the investigation by Zadzik on 31 March, testified only that both teachers were seen near the scene of blasphemy soon after the committed sacrilege. Other witnesses repeated during the questioning what they heard from the parish priest, talked about things unrelated to the event, and raised groundless accusations against Sienieński. These were either peasants from Szumsko dependent on a squire hostile to the Arian neighbour, Father Rokicki, or Sienieński's Catholic liegemen, settling their score with him on that occasion.

A petition was also sent from Warsaw recommending that Paludius and Andrzej be put in prison, which, of course, did not happen because of their escape. Blame for this was also put on Sienieński. The minutes of the investigation, including the news on the escape of the accused, was taken to Warsaw and given to the king without showing it first to the deputies. Moreover, on 7 April 1638, also without the will and knowledge of the Sejm, a petition was sent to Sienieński (through messengers who hurried day and night), ordering him to turn up within eight days at the kingdom's instigator.⁴⁶

⁴⁴ *Ibidem*, fols. 113, 113ver.

⁴⁵ In the first half of the seventeenth century Szumsko, Drogowle and Raków belonged to the Bodzentyn deanery (Wiśniewski, *op. cit.*, from the introduction).

⁴⁶ Przytkowski, *op. cit.*, p. 211.

On the basis of the results of a biased enquiry the Raków squire was accused of being a particular defender and preserver (“servator et conservator”) of Arianism, of using the school and the printing house to spread that “vile behaviour”, and of recently cooperating in insulting the crucifix. Therefore, he was to appear in person to clear himself of the raised accusations and bring Paludius and Andrzej to court. The petition was worded extremely sharply, announcing that Raków should be “in perpetuum repurgari”.⁴⁷

No wonder then that it aroused terror and panic in that small Arian town. As we can learn from a malicious letter addressed by the Drogowle parish priest⁴⁸ to Zadzik (written on 12 April 1638), the residents of Raków “already now fast on Sunday and do not eat all day but at night sausages and roast capons”. They also allegedly said a special prayer asking God to give them a sign if He was going to answer their prayer “because if our fast was to be in vain, God, take pity on our exhausted bodies”.

Sienieński was most deeply concerned as the lord of the endangered estate and the main patron of Arianism in that area. He was even to tell the residents of Raków that “he would rather give his own throat for the holy Church to let them remain free”. To turn away the threatening blow Sienieński entered into negotiations (through minister Jan Stoiński whom he sent to Drogowle) with the Bodzentyn Dean. The Raków squire offered free land in the town for the construction of a Catholic chapel, which the Bishop of Cracow, Lipski, was trying to get in vain some time ago. In return for that donation Sienieński asked the Bodzentyn Dean for his intercession with Zadzik to “only be able to be free and with those who are citati” “so that no church servant would trouble him or disperse the Arians”. The cited letter shows that Sienieński and other Arians still believed that after taking an oath that they had nothing in common with the committed sacrilege they would be released of punishment.

⁴⁷ The petition is in: Kiev, Library of the Ukrainian Academy of Sciences (hereafter: Bibl. UAN), MS I 5995, fols. 380–382; Bibl. Jagiell., MS 2274, fols. 48–49; Bibl. Czart., MS 135, fols. 223–225; reprinted in: L. Chmaj, *Samuel Przytkowski*, pp. 213–215.

⁴⁸ Bibl. Czart., MS 135, fol. 237. The parish priest in Drogowle is mentioned there as the “tenth Dean of Bożęcin” (the letter was first summarized by the copyist), which undoubtedly means the Bodzentyn dean (“Bodzentyn in the local dialect «Borzencin»”, writes Wiśniewski, op. cit., p. 19) who was also, as we remember, the parish priest in Drogowle. Stańko (op. cit., p. 23) converted the Bodzentyn dean into father Bożęcki treating the adjective as a name.

As it seems the Catholic side did not want to get involved in any negotiations, preferring a total victory in court to partial voluntary concessions of the Arians. For the time being, however, that victory was dubious. The fact that the outcome of the enquiry was first presented to the king and not to the Sejm aroused indignation among some members of the Chamber of Deputies. Persons of other faiths were concerned by the petition which blamed Sienieński for maintaining the Arian school and the printing house. It was a serious expansion of the scope of original accusation which could threaten also other dissenting gentry in future.⁴⁹

Even some Catholics were outraged. Thus, on 12 April 1638,⁵⁰ the Standard-bearer of Cracow, Franciszek Dembiński, "greatly oppugned [as the official record of parliamentary proceedings reads] those decrees which were sent to the voivode to Raków, that it was not supposed be like that because it was not right to bring such actions which aggravate all our freedoms". On that day, a great debate broke out in the Chamber of Deputies over the Raków case and continued from 1 to 6 p.m.

The dissenting deputies, namely the Unity of the Brethren, Bełz Voivode Bogusław Leszczyński, Wschowa Judge Jan Szlichtyng and an Arian, Jerzy Niemirycz, demanded that the inquisitors submit a report on the course of the enquiry to the Chamber of Deputies. Especially Niemirycz insisted on it, claiming that: "Since the Honourable Gentlemen were sent from us, they should give an account also to us". Other deputies, Catholics, claimed that "they should not give any account because it was inquisitia in ocluso rotulo"⁵¹ and a report to the king would do. One of the inquisitors, the Chamberlain of Różan, Piotr Grodzicki, was of the same opinion, explaining that he was advised by the vice-chancellor (Piotr Gembicki, Bishop of Przemyśl) to submit a report to the Senate.⁵²

⁴⁹ Przyrkowski, op. cit., pp. 212–215.

⁵⁰ The course of the Sejm session on 12 April 1638 is presented on the basis of "Diariusz Gdański" (fols. 163–164), "Diariusz Jagiellonki" (fols. 15ver.–17), and the third of the official records of parliamentary proceedings in 1638 (Bibl. Czart., MS 390, fol. 405).

⁵¹ Such a name (deposition) was given to the outcome of the enquiry closed with a seal and meant only for the authorities which ordered the enquiry.

⁵² Deputies charged Grodzicki then that he did not need to seek information from Gembicki since he had the instructions of the Chamber of Deputies. The Chamberlain of Różan replied: "Nie brałem, tylko się radziłem, co czynić w tem" ("Diariusz Jagiellonki," fol. 15ver.).

Niemirydz demanded an account and an explanation which decrees, called “*litterae admonitariales*” by Grodzicki (“because decrees are usually without signature and those were signed by His Royal Highness”) were sent to Raków. Finally, the committee members gave in and “gave an account of the committee’s method as they used it, listening to it as an inquisition, without mentioning who did what and how, but this was put off for the suit, for the inquisition”. After the account was heard out a discussion started, with Bogusław Leszczyński taking the floor first. He said that the scope of investigation was illegitimately expanded “because they usurp both the execution and *extraordinarium processum*”, meanwhile the deputies permitted the enquiry on the sole condition that they would be informed on its course. They made it clear that “they should not be covered by any extraordinary decrees; and since this happened, I do not allow it here from my place. Let them be badly punished because they did very bad things, but *ordinaria iuris via*. God forbid it to be otherwise”.

In reply the Catholics demanded a summary trial claiming that “*extraordinaria crimina extraordinario quoque requirant processum*”. The crime of blasphemy does not fall under any article and such heavy criminals should be prosecuted with extraordinary measures. The Cupbearer of Podole, Jan Jabłonowski, delivered a particularly sharp speech against Arians, demanding that “they should be punished *ex nunc* because it was God’s wrong”. He was supported by the deputy of Rawa, Stanisław Studziński, who threatened the assembled deputies that they could be kidnapped by the devil for “being so *aliud agendo* in handling God’s wrong”. Reproaching the Chamber for the lack of religious zeal Studziński finally said: “Gentlemen, let us worry not to have devils judging here instead of us as they did in Piotrków”.

The Crown Carver, Mikołaj Ostroróg, Cupbearer of Podole, Jabłonowski, Butler of Kalisz, Łukasz Orzelski, Chamberlain of Podole, Jerzy Dydyński “and a host of others” came out in favour of a summary trial for the guilty ones. Arian Niemirydz came to his co-religionists’ aid. He said he wanted “those *factores sceleris huius* to be punished severely”, but he was for a normal court procedure (“*ordinaria iuris via*”). Even God himself does not punish all sins all of a sudden with lightning.

In reply Ostroróg charged Niemirydz with inconsistency: once he says to punish severely and then ordinarily and not suddenly. Niemirydz, however, was supported by Calvinist Zbigniew Gorajski who came out in favour of severe punishment for the guilty ones

provided, however, that "ordinaria iuris via is followed". For the very method of judgment may have an impact on the type of punishment. Gorajski recalled that, in Poland, there were already cases of insults to sacraments but they were examined in ordinary procedure and not an extraordinary one.⁵³

In reply Ostroróg expressed surprise that Gorajski demanded an ordinary trial so much, even though he had already consented that the case be examined by royal inquisitors, which meant a summary procedure. Niemirycz retorted by explaining that he himself also agreed to inquisitors, but this did not mean at all that he agreed to a summary procedure. The Judge of Brześć, Calvinist Piotr Kochlewski, wanted to reconcile both sides and proposed to pass a new law for this crime ("may this *hominum scelus* become a new law"), but the deputies did not consent to it.

Standard-bearer of Cracow Dembiński resolutely defended Sienieński "recalling his credits for the Commonwealth". He noted he was not against punishment for the guilty ones, but he would not permit a summary procedure to be used. If he was shown any law under which such a procedure could be applied, he would consent, but as long as it was not done "I protestor against our equals being covered by *summario processu*". Dembiński was strongly supported by a deputy from Cracow, Wielopolski,⁵⁴ who, when "told that they were Arians", replied that: "the noble brothers are equal to us in everything".

Then Ostroróg and Leszczyński took the floor as mediators. The first one proposed that the dispute be settled by the king. The Chamber of Deputies did not want to agree to this because the majority of the deputies were already then inclined to a summary procedure. Leszczyński, who after all soon converted to Catholicism, proposed an ordinary trial to be held, and if there was not enough time for such

⁵³ Undoubtedly, it is an allusion to the trial of an Arian, Erazm Otwinowski, who tore out the monstrance from the hands of the priest going in the Corpus Christi procession in 1564, threw it to the ground, and trampled. Otwinowski got away with that stunt, even though he was sued to royal courts. His trial was in fact held in an ordinary procedure; cf. S. Kot, "Erazm Otwinowski. Poeta – dworzanin i pisarz różnowierczy," *Reformacja w Polsce* 6 (1934), pp. 12–14.

⁵⁴ In the Sejm diaries he has no name. It was undoubtedly Jan Wielopolski from Wielopole, a Biecz *starost*. He was in close relations with the Arians but during the Swedish invasion of Poland he assumed a hostile stance on them (cf. *Studia nad arianizmem*, p. 474).

a trial at the Sejm, only then a summary procedure could be applied. He also proposed that after the Raków case was tried in “*summario processu*” a constitution should be passed banning such procedures in the future. The Catholic majority of the Chamber agreed to it, and the Arian leader Niemirycz “again spoke by the Bełz Voivode” (Leszczyński). Dembiński’s strong objection and his firm demands for an ordinary trial prevented this proposal from being adopted. Therefore, the whole matter was postponed for the right time.

Meanwhile, a verdict against Sienieński was already being drafted in the Senate. It was kept secret from the Chamber of Deputies, where the Arians, as we have seen, could find some support. Sienieński’s protestation that as a free nobleman he could not be tried under summary procedure did not stop the pending trail. To the contrary, the atmosphere in the senate was very unfavourable for the owner of Raków. The knowledgeable Albrecht Stanisław Radziwiłł even writes that “the Catholic zeal brought Sienieński close to being beheaded by the executioner’s sword”.⁵⁵ He was saved by the evidence given by seven noblemen from Sandomierz, his equals, who testified under oath that Sienieński did not contribute in any way (by aid, advice or persuasion) to the sacrilege and knew nothing about the intended sacrilege.⁵⁶ Sienieński himself swore the same “by the Catholic custom” (i.e., undoubtedly, on the Holy Trinity; probably on 28 April 1638⁵⁷).

Nevertheless, a secret meeting of senators sitting on the Royal Tribunal decided to punish him and “cleanse” the crime scene of Arianism (by the liquidation of the school and the printing house) and to prevent similar events in future with a special decree.⁵⁸ On 19 April 1638, such a decree was passed by the Senate meeting attended by Sienieński, which immensely surprised the senators, as Radziwiłł testifies.⁵⁹ An edict issued by the small Royal Chancellery ordered Sienieński to bring both teachers (Paludius and Andrzej), who did

⁵⁵ Radziwiłł, *op. cit.*, vol. 1, p. 374.

⁵⁶ *Bibl. Czart.*, MS 135, fol. 225ver.; Przytkowski, *op. cit.*, p. 218.

⁵⁷ The protestation filed on 1 May 1638 by a group of noblemen of other faiths against the judgement reads that the chancellery does not want to issue a decree “already for the sixth day” after an oath taken from the defendant; quote after the protestation’s reprint in an anonymous work: *Braterska deklaracja na niebraterskie Napomnienie* (s.l., 1646), p. 84, probably authored by Samuel Przytkowski.

⁵⁸ Przytkowski, *op. cit.*, pp. 217–218.

⁵⁹ Radziwiłł, *op. cit.*, vol. 1, p. 374.

not appear before the court till then, within six weeks. If he failed to do so Sienieński was threatened to be punished with infamy and the ministers with permanent exile.⁶⁰ The Raków school, which became the main cause of the crime, was ordered to be abolished (within four weeks from the date of the decree) finally and for ever. The printing house which published books hostile to Catholicism for so many years was also ordered to be liquidated. Arian teachers, clerics and residents were ordered to leave Raków in four weeks under threat of infamy. The reconstruction of the school and the printing house and the bringing of Arian ministers to Raków was prohibited under a penalty of 10,000 *złoty*s.⁶¹ On the site of the cross a chapel was to be built as an expiation.

According to Arians, many irregularities were committed during the trial.⁶² Instead of the prescribed six weeks sick Sienieński was given only eight days in the petition for his appearance. The Raków case was examined without the participation of the Chamber of Deputies which was also turned into an informer because of the orders to write in the petition against Sienieński and in his judgement that the owner of Raków was tried "ad delationem Nuntiorum Terrestriarum". This meant an exceptional insult against the Chamber of Deputies, which was turned into an informer, and a violation of law because, in accordance with the Constitution of 1588,⁶³ in the cases

⁶⁰ The owner of Raków was probably looking for culprits (as the Arians later said) abroad ("for which he has an attestation from Hungary") but naturally did not find them. Therefore, the Polish Brethren, fearing that Sienieński's opponents could get the sentence of exile for him at the neared Sejm (to be convened already in December 1638) asked the Calvinists for their support in that case (cf. Chmaj, *Bracia Polscy*, p. 482). Finally, however, the Sejm was convened as late as October 1639 and, at that time, the 70-year-old Sienieński, deeply shocked with the fall of Raków, was probably already dead (it is known that he died in 1639, but the exact date of his death is not known).

⁶¹ The text of the judgement in the Raków case can be found in: Bibl. Czart., MS 135, fols. 223–227; Bibl. Jagiell., fols. 50–51; Gdańsk, PAS Library (Biblioteka Gdańska PAN), 1015, fol. 22b. Its short version is given by Przypkowski (op. cit., p. 218) and Ossoliński (op. cit., pp. 294–296).

⁶² Chmaj, *Bracia Polscy*, pp. 485–486: *Errorry Nowego Pieczętarza*. Cf. also Przypkowski, op. cit., p. 217 and a speech by Andrzej Moskorzowski, unknown to us, delivered on 25 August 1639 at the Opatów dietine and summarised by Kubala (op. cit., p. 117).

⁶³ The constitution on the cases of lese-majesty passed in 1588 was a significant achievement of noble democracy (cf. Kaczmarczyk, op. cit., vol. 2, p. 188). It covered only offences against the king himself (and not against his family),

of “*crimen laesae Maiestatis* it [the Chamber] was supposed to judge together with His Royal Highness and the Senate”. The misdeed itself was wrongly classified as *lese-majesty*. The most important thing, however, is that a free nobleman was tried under a summary procedure which had never been applied to anybody from that state before. Through this a new constitution was introduced in some way, without the deputies’ consent.

Such irregularities did really occur, as the judgment, which was passed on 19 April, was written and issued only ten days later (and predated on 20 April 1638) and entered reputedly under another petition which was not submitted. During that time Sienieński kept going “from the vice-chancellor [Gembicki] to the Jesuits and from the Jesuits to the vice-chancellor”, trying to get the judgment in writing to be able to know what to stick to and start an appropriate action. The Arians also claimed that the judgment was announced in a different form “soon after the trial” and later on “was written and staffed” differently.⁶⁴ In the judgment, in spite of the trend of some Sejm circles, one could hardly see – as the Arians claimed – a general condemnation of the entire doctrine and the church of the Polish Brethren. It referred specifically to the insult to the crucifix and the Raków case, abolishing the local school and the printing house.⁶⁵ In reference to the persons employed by the school who were sentenced to exile the term “professors” was deliberately omitted in fear that such a recognition of academic rights of the Arian Academy could give its lecturers exceptional privileges making it possible to oppose or bypass the decreed exile.⁶⁶

Still on 20 April, delegates from the Chamber of Deputies set off to judge the Raków case, but the king ordered them to come back to the house.⁶⁷ On the following day (21 April),⁶⁸ Gorajski extensively

required that the petition be served six weeks ahead of time and announced at the regional diet. The accused was entitled to a defence lawyer, was tried by the Senate and eight representatives of the Chamber of Deputies. The judgement was passed by a majority vote in the absence of the king (*Volumina legum*, vol. 2, ed. J. Ohryzko [Petersburg, 1859], pp. 251–252).

⁶⁴ Chmaj, *Bracia Polscy*, p. 486.

⁶⁵ Przytkowski, *op. cit.*, pp. 220–221; *Braterska deklaracja*, pp. 81–82.

⁶⁶ Tync, *op. cit.*, p. 388.

⁶⁷ Przytkowski, *op. cit.*, p. 216. The king must have done it because the judgement was passed already a day before and the presence of deputies’ delegates was unnecessary.

⁶⁸ The course of the Sejm debate on 21 April 1638 is based on “Diariusz Jagiellonki” (fols. 23^{ver.}–24^{ver.}).

discussed the decree passed on Sienieński, explaining "that our security of dissenters is thus violated due to the fact that he was tried in *summario processu*". He was supported by many dissenters. Niemirydz recalled, on the other hand, that the deputies did not agree to a summary procedure for Sienieński yet. The Oszmiana Chamberlain,⁶⁹ even though a Catholic, lamented that the number of summary trials started to increase, and recently Prince Radziwiłł, "the Vilnius voivode was sent decrees".⁷⁰ Then, the floor was taken again by Gorajski who said that summary procedure should not be applied to the gentry. Then, a draft constitution preventing the use of such procedure to trials of the gentry, both Catholics and Calvinists, started to be read out. The Arians, however, were excluded from the protection of that act ("Arians were excluded from it"). A lively discussion which followed resulted in an explicit reservation added to the drafted constitution that the Raków judgement could not become a precedent for other similar cases. This supplement was contemplated by Jabłonowski.

The above constitution was opposed by a Volhynia deputy, Gabriel Hulewicz, and Gorajski. They said that "we would not permit either *summarium processu* or the decree". Voivode Leszczyński, however, found the constitution a sufficient guarantee for the future. Finally, the dissenters gave in and all deputies "permitted unanimiter" to pass the law prohibiting summary trials to be held for the gentry in future.⁷¹

⁶⁹ Adam Sakowicz (cf. *Volumina legum*, vol. 3, ed. J. Ohryzko [Petersburg, 1859], p. 451), a later *starost* of Oszmiana and confidant of Bogusław Radziwiłł.

⁷⁰ It is probably the action brought against one of the churches under the patronage of Krzysztof Radziwiłł. It might have concerned the construction of the Lutheran church in Birże funded by the Vilnius Voivode exactly in 1638; cf. E. Tyszkiewicz, *Birże* (Petersburg, 1863), p. 145. Such trials must have been frequent since, in June 1638, the Calvinist synod ordered drawing up excerpts from the files on privileges granted to various churches. Such privileges during "sądów różnych zwykli niektórzy qui stant a parti adversa in dubium vocowac i tym sprawy zborów WXL zatrudniać"; Warsaw, Central Archive of Historical Records (Archiwum Główne Akt Dawnych [hereafter: AGAD]), Archiwum Radziwiłłowskie, Dz. VIII, Ks. 713, "Protokoły synodów prowincjonalnych kalwińskich odbywanych w Wilnie (1611–1686)," fol. 189ver., point 3.

⁷¹ Contrary to what we can read in the diaries, such a constitution was not passed. It cannot be found in *Volumina legum*. On 25 August 1639, the Łuck diet demanded that: "Summarius processus jako rzecz e diametro z prawem pugnans, aby zniesiony był i in posterum tym procesem aby ani na sejmie, ani na trybunale sprawy sądzone żadnego waloru nie miały, konstytucją warować mają panowie posłowie nasi." *Archiwum iugozapadnoj Rossi*, Pt. 2: *Postanowienia dworanskich sejmów w jugozapadnoj Rossi*, vol. 2 (Kiev, 1861), p. 261.

During the discussion Niemirydz proposed Jabłonowski to behead Fali-bowski and Babiński “who were the ringleaders of the affair” and kept going free.⁷² The Cupbearer of Podole, understanding that Sienieński would be relieved from his guilt in this way, spitefully replied “because they became Catholics, I believe”, to which Niemirydz replied in turn: “Not because of that, but because they broke the crucifix and put the blame on other innocent people”.

Contrary to W. Budka’s opinion, the smear campaign against Raków was not organized only locally by the deputies from the Sandomierz voivodship and the voivode (Ossoliński) and the bishop (Zadzik) to whom that town was subordinated in administrative terms.⁷³ As the message of the then Papal Nuncio Honorato Visconti (sent to the secretary of state on 24 April 1638) shows, he was keenly interested in the course of the trial. The message includes a description of the incident and lists the punishments inflicted on its perpetrators, the town, and Sienieński himself. Most importantly, however, the nuncio clearly states that his firm appeal to the king contributed to blowing up the case, as the king took care of punishing the guilty ones with laudable zeal.⁷⁴ Thus, the fall of Raków was the result of an action of the entire Counter-Reformation camp with the papal nuncio in the lead.

The Catholic reaction had an easier task owing to an indecisive attitude of other dissenters whose support for Arians was not very strong. It was probably also due to some behind-the-scenes negotiations, where the bishops, in return for concessions, promised the Protestants to loyally meet all their demands connected with keeping religious peace. This hypothesis seems to be supported by the edict of the bishops of: Cracow (Zadzik), Kujawy (Maciej Łubieński), Poznań (Andrzej Szołdrski), and Płock (Stanisław Łubieński) issued on 27 April 1638. In that document, filed with the town of Wschowa on 1 May 1638, representatives of the episcopate, wishing to prevent – as they say – regional diets from dealing with cases of breach of religious peace, promise to prohibit their parish priests from taking any

⁷² They appeared before the Sejm but were not called to account (cf. S. Lubieniecki, *Vindiciae*, p. 278).

⁷³ *Reformacja w Polsce* 4 (1926), p. 240 (the quoted above review from an article by Stańko).

⁷⁴ This message from the Vatican archives was published by H. Barycz, “Nowy szczegół do dziejów zniesienia Rakowa (1638),” in: *Studia nad arianizmem*, pp. 524–526.

action against dissenters without the knowledge of ordinaries. Protestants, on the other hand, are to earlier notify the bishops about such cases so that they could restrain their subordinates. Enclosed with the edict was a letter to the clerical deputies sitting on tribunals "not to try such cases".⁷⁵

The following years were to show the true significance of those bishops' guarantees. The protestation against the judgement in the Raków case submitted orally on 30 April and in writing on 1 May 1638 (probably to the town of Warsaw) by 11 deputies to the Sejm, including two Arians (Jerzy Niemirycz and Aleksander Czaplic-Szpanowski), four Calvinists (Janusz Radziwiłł, Gabriel Hulewicz, Zbigniew Gorajski, and Piotr Kochlewski), two followers of the Unity of the Brethren (Jan Szlichtyng and Bogusław Leszczyński), one Orthodox (Prince Jerzy Światopełk-Czetwertyński), and finally two Catholics (Antoni Jan Tyszkiewicz and Mikołaj Abramowicz from Woźniki) was of little avail. The protestation submitted on 23 August 1638 to the town files of Włodzimierz (by Aleksander Czaplic) and on 31 July of that same year to the files of Żytomierz (by Jeremi Tysza Bykowski) underlined that the edict on the Raków case was a violation of the freedom of conscience guaranteed in the Warsaw Confederation and a serious breach of privileges of the nobility. When it was passed a number of legal irregularities was committed. The deputies who signed the protestation stated in conclusion that: "whatever is derogated by the trial and the court from the rights and freedoms of ordinis equestri, we have never consented to it".⁷⁶

The same charges are raised by Arian brochures attacking the above judgement. The author of the most extensive of them, including a detailed description of the entire trial, was Samuel Przypkowski. His memorial titled *Concept o sprawie JMP Jakuba Sienieńskiego z Sienna W.P., która się toczyła na sejmie warszawskim Anno Dom. 1638* (A Concept about His Grace Jakub Sienieński's from Sienna Case Pending in the Warsaw Sejm Anno Dom. 1638; published for the first time in 1927 by L. Chmaj)⁷⁷ included basic arguments of the Polish Brethren challenging the legal validity of the judgement which was

⁷⁵ *Prawa i wolności dyssydentom w nabożeństwie chrześcijańskim w Koronie Polskiej i w W.Ks.L. służące* (s.l., 1767), pp. 72–74, copy in: Poznań, Raczyński Library (Biblioteka Raczyńskich), MS 48 ("Synodalnia Braci Czeskich"), fol. 205.

⁷⁶ *Braterska deklaracja*, pp. 83–86.

⁷⁷ Cf. n. 19. This memorial, unknown to Stańko, provided a great deal of valuable information to the author of this article.

unfortunate for the Arian “capital”. These arguments are repeated in an anonymous short dissertation titled *Animadversia na mandaty JMP Sienieńskiego* (*Animadversia to the Decrees for His Grace Sienieński*) undoubtedly coming also from Arian circles.⁷⁸

The nine-point dissertation skilfully links the Raków case with the defence of freedoms of the gentry as a whole. It emphasizes that since the king will be able to try without law, over time he will be able to punish without court, establishing laws wilfully to the doom of the gentry. In the Raków case the insult to the crucifix should have been separated from the question of keeping the school or the printing house. For that decree should have been passed not “for the faith, for print, for schools but only for the crime of abuse of the suffering of Christ”.

During the trial the privileges of the Chamber of Deputies were breached by its illegal removal from the participation in the trial and by making only the Senate a delator and judge in one person. The decree includes accusations which were not raised by the deputies and brings to justice the persons who were not accused by the Chamber of Deputies at all. It also enacts new laws, since it claims that the king’s duties include the defence of Catholicism, and punishes the protection of Arianism (the keeping of the school and the printing house, the spreading of faith) as a criminal offence. The judgement against the rule of law attaching guilt to specific persons does not cover the culprits only but also “locum ipsum [i.e., the town of Raków, where there are so many of our souls and properties of our people a maiore ex parte Catholics]... in perpetuum purgari statuit”.

The third Arian brochure describing the Raków case titled *Errorry Nowego Pieczętarza tak KJMci jako i Rzptej szkodliwe* (*Errors of the New Chancellor Harmful to Both His Royal Highness and the Commonwealth*)⁷⁹ is directed against Jerzy Ossoliński. In this way, the Polish Brethren attacked a man who really “magna pars fuit” in the fall of Raków and, at the same time, hit the supporter of foreign

⁷⁸ Bibl. Jagiell., MS 2274, fol. 59–60ver.

⁷⁹ Reprinted by Chmaj, *Bracia Polscy*, pp. 483–486. A version of the same brochure titled *Errorry Nowego Pieczętarza Rptey*, unknown to the publisher, can be found in: Bibl. Jagiell., MS 2274, fols. 61–63; Bibl. UAN, MS I 5995, fol. 384. It is the most extensive, Latin version of that brochure, titled *Novi vicecancellarii Regni Poloniae Georgii Ossoliński errores minus principii quam republicae noxi*. It should be noted that also S. Lubieniecki blames Ossoliński for the closing of Raków (*Vindiciae*, pp. 278–279).

titles⁸⁰ and the extremely unpopular idea of setting up a knightly order who was hated by the gentry. The Knighthood of Immaculate Conception of Virgin Mary was seen, as it is known, as an attempt to create aristocracy in Poland after the western fashion.

Errorry Nowego Pieczętarza shows the chancellor as a decided enemy of the entire gentry, stigmatizing his position on sea customs duties and foreign titles. Then, the brochure discusses Ossoliński's role in the Raków trial. The chancellor was the one to blame for the violation of privileges of the nobility in the trial. Due to Ossoliński the accusation was brought to the Sejm; he was also the one who made Skarszewski demand a summary trial for the Arians. When the Chamber did not want to agree to that, inquisitors were sent without waiting for decrees.

On the chancellor's inspiration, without the consent of deputies and even many clerical senators, the petition was sent to Sienieński, and, then, the results of the enquiry were prevented from being presented in the Chamber of Deputies. Finally, due to Ossoliński, that amazing judgement was passed prohibiting a nobleman in his own estate from the freedom of faith and from maintaining the school and the printing house. The chancellor also influenced the illegitimate shortening of the investigation, Sienieński being deprived of the possibility of defence, the punishing of innocent people and the getting away of the guilty ones. Moreover, even though the owner of Raków proved his innocence with an oath, "his wealth and substance were thwarted through the punishment on the school, the printing house, and the free use of church service".

Ossoliński was also guilty of the fact that the judgment was announced in a different form after the trial and was written and published in a different form many days later. Finally, the chancellor was also the one who made the decree "against the open Holy oath, against nature and our Commonwealth's decision, and against the freedoms of the nobility" be announced.

In their struggle for the annulment of the judgement in the Raków case the Arians did not make do with appealing to the noble public with the above brochures. They also tried to win allies in the dissenter camp to be able to take an appropriate action at the next Sejm.

⁸⁰ This iunctim appears also at the 1638 Sejm where, on the same (last) day of debates (30 April), a protestation was submitted at the same time "przeciwko dekretowi na arianów i przeciwko prawu o zniesieniu tytułów"; Radziwiłł, op. cit., vol. 1, p. 376.

To this end, at the Arian synod in Kisielin (held on 28 May 1638) a letter was written to Krzysztof Radziwiłł, complaining about the suffered blow and “asking him with humility for advice and help”. The letter was signed by five ministers and 15 outstanding representatives of the Arian gentry, including such well-known persons in the history of Arianism as: Jerzy Niemirycz, Aleksander Czaplic-Szpanowski, Krzysztof Wiszowaty, Jonasz Szlichtyng, Krzysztof Lubieniecki, junior, Tobiasz Iwanicki, and Krzysztof Stoiński.⁸¹ It was taken to Radziwiłł by Samuel Przypkowski, who was also to personally present Arians’ requests and examine the possibilities of help. Unfortunately, we do not know the answer received from the Calvinist magnate.

The synod in Kisielin also decided to send a minister from the church in Piaski (probably Krzysztof Lubieniecki) with his companions as an official Arian delegation to the Calvinist synod in Krasnobród (Krasnostaw county). The delegation was to examine the opportunities of entering into a political union with Calvinists and win them for a loyal opposition to Catholics at the next Sejm. The Calvinist synod was held on 24–26 September 1638.⁸²

The speeches by Arian delegates delivered in Krasnobród on 25 September 1638 which have survived show that they pointed out to the growing pressure of Counter-Reformation and listed the persecutions suffered by both the Calvinists and the Arians. Particularly much attention was given, for obvious reasons, to the Raków trial which was believed to be a dangerous precedent for the future, since “such a notable nobleman... was punished that his faith was wrong, that he was exercet religionem, that he had prints, schools, etc., in his estate” for the destruction of the crucifix”. Therefore, in future, “any small excess by one or two” may lead to the annihilation of an entire Protestant centre. In conclusion, threatening with the spectre of Spanish inquisition, the Arians show the necessity for a loyal defence of religious freedoms by persons of other faiths. They called on all dissenters to “sine mora, as long as quicquam in Republica valemus by turning our consilia and conatus to helping the common cause”. The Arians also expressed hope that when they demonstrated the lack of legal validity of the decree, and persons of other faiths came

⁸¹ W. Lipiński, “Arianskij sojmik w Kisielini,” *Zapysky Nauk Tow. im. Szewczenki* 96 (1910), Pt. 4, p. 46.

⁸² Cf. AGAD, Depozyt Wileński 41, “Acta albo konstytucyje synodow districtu sędomierskiego, zaczęte anno 1618,” vol. 2, fols. 63–63ver. In the minutes of the synod there is no mention of any speech by the Arian delegates.

out against it with one voice, then it "had to ruere". In reply to that appeal Zbigniew Gorajski underlined that a religious union of Calvinists with the Arians was impossible (as already established a long time ago). "As far as the political union circa custodiam communis libertatis is concerned", he expressed his full consent for it. Consenting to unanimous cooperation "in locis publicis" Gorajski reproached the Arians, however, for attacking the Calvinist learning on the Trinity and also for the fact that they failed to act jointly with the Evangelicals at regional diets, and then left all the effort to seek redress for the wrong done to all of the dissenters to them.⁸³

Simultaneously with the efforts made inside the country the Arian made endeavours for an intervention abroad. Thus (probably ordered by the church elders) Marcin Ruar and Jan Stoiński sent the files of the Raków case to Hugo Grotius, the then Swedish envoy to Paris, with whom Ruar corresponded for quite a long time then. Through Grotius they probably wanted to win Sweden's help in their efforts for the annulment of the unfortunate judgement. Grotius notified Swedish Chancellor Oxenstierna about the fate of Raków as early as 7 August 1638, informing him that, even though he hated Arians' beliefs, one should pay a lot of heed if, after destroying the weakest ones, the Church authorities in Poland would not come out against others, also called innovators. In a letter written to Stoiński on the same day Grotius lamented on the blow which the Arians suffered and the fact that "through the fault of some, and not a deliberate one, the doom of the whole was being contemplated". He advised them, however, to suffer that blow with resignation towards God's will.⁸⁴

The Raków case came up again during the next Sejm session convened on 5 October 1639. When, on 18 October of that year, the Chamber of Deputies examined the complaint lodged by the bishop of Chełmno, Kasper Działyński, against the residents of Toruń who prevented him from performing the Corpus Christi procession (on 23 June 1639) and "made armatum impugnant tumult",⁸⁵ deputies

⁸³ Arian speeches at the synod in Krasnobród and Calvinist replies were published by Chmaj, *Bracia Polscy*, pp. 468–482: *Po zniesieniu Rakowa* (materials).

⁸⁴ *Ibidem*, pp. 284–285.

⁸⁵ The residents of Toruń did not agree to organizing Catholic processions in their town. When, nevertheless, Bishop Działyński set off with his procession, the market square was closed with chains and the bishop was forced by the guards to come back to the church "which the entire Działyński family considered a personal offence". The gentry demanded at regional diets that the residents of

from Royal Prussia, Jan Zawadzki and Krzysztof Lode, demanded that the case be tried in “*summario processu* like Sieniński was tried at the previous Sejm”.⁸⁶ They were supported by a majority who claimed that at stake was God’s worship and not a private feud with the bishop. A summary trial was, therefore, most appropriate in that crime pertaining to religion.

The Catholics were replied by Piotr Kochlewski, among others, who reminded his opponents that it was not the right time to take anything against Prussian towns. “Toruń is not Polish Raków”,⁸⁷ said Kochlewski, explaining the deputies that if somebody wanted to come against that town it should be first agreed with Gdańsk. No need to take any rash decisions, and only after the whole case is examined the king may be asked to conduct an ordinary and not a summary trial “which was made itself felt for Mr. Sieniński at the previous Sejm”. At the same time, the deputies of other faiths declared that “they had articles from various voivodships that the *summarius processus* be abolished from Mr. Sieniński,⁸⁸ in fear of such horrible trials not to come in in sequel, as they would have to disappear soon”.

The case returned on the following day (19 October) when the dissenting deputies declared that even though they did not want to defend the residents of Toruń they would not permit that they be tried in a summary trial instead of an ordinary one. Persons of other faiths also called for the decrees issued on that matter to be read out in the Chamber of Deputies to figure out what the content of the accusation was. They wanted the townsmen of Toruń “to be tried according to the constitution *servatibus legibus et privilegii legitime*”, and not “as Mr. Sieniński, which they do not permit”. Finally, on 20 October, the whole matter was sent to the king who was asked for conducting an ordinary trial. The king, after a half-hour meeting with the senators, replied that he was pleased with the religious zeal shown by the deputies and that he himself also deplored the crime committed in

Toruń be punished and termed their deed as “sacrilege”; T. Glemma, *Stosunki kościelne w Toruniu w stuleciu XVI i XVII na tle dziejów kościelnych Prus Królewskich* (Toruń, 1934), pp. 140–141.

⁸⁶ The Sejm debate on 18–20 October 1639 is presented on the basis of Bibl. Czart., MS 390, fols. 441–442, and G. Lengnich, *Geschichte der preußischen Lande königlich-polnischen Antheils*, vol. 6 (Danzig, 1729), p. 159.

⁸⁷ This sentence is given by Lengnich in the following version: “Thorn wäre nicht das polnische Rakau”.

⁸⁸ There is no such demand in published Halicz’s files of regional diets in Proszowice and Łuck.

Toruń. On behalf of the king, the deputies were addressed by the Chancellor of the Crown (Zadzik) who said that "all states existed mostly per zelum religionis [and that] the king would try this excess according to his powers belonging to the towns".⁸⁹

The dissenters' resistance shown at the 1639 Sejm demonstrates that the lesson of Raków was not wasted.⁹⁰ The Sejm, however, disappointed the Arians' basic hopes because it did not overrule the Raków edict. On 25 August 1639, Andrzej Moskorzowski in vain agitated the gentry for it at the Opatów diet⁹¹ and Andrzej Wiszowaty in vain bravely defended the Arian doctrine at the Sejm in the same year.⁹²

It did not help the town which already in 1638 was left by the more notable and religiously zealous Arian population which moved to the nearby Radostowo owned by an Arian, Anna Wylamowa (Jan's widow) de domo Cikowska. Others converted to Calvinism or Catholicism. The ministers and lecturers of the Raków Academy and some students migrated to Kisielin in Volhynia, where there was a school in the Czaplic estate, which, after the closing of the Academy, was elevated to a slightly higher level. Some youth moved to the school in foothill Luślawice. Others apparently wanted to enter the Calvinist university in Bełżyce.⁹³ Raków itself after Sienieński's death (1639) passed on his daughter Aleksandra Wiszowata⁹⁴ who

⁸⁹ Even though the king promised the deputies to punish the residents of Toruń so that nothing like that could happen again (Lengnich, op. cit., p. 159), the dispute dragged on until 1643 without any "serious" consequences for the culprits (Glemma, op. cit., p. 141). It finally ended with a settlement between the town and the bishop.

⁹⁰ The Raków lesson was also used by the Counter-Reformation, since the decree abolishing the Arian school and the church in Kisielin issued on 18 May 1644 referred to the Raków judgement of 1638 (Lipiński, op. cit., p. 54).

⁹¹ Kubala, op. cit., p. 409.

⁹² Cf. Chmaj, *Bracia Polscy*, p. 356.

⁹³ We can learn this from a resolution of the Calvinist synod adopted on 27 August 1638. "Having heard that the Arians were to ask that their disciples from Raków could join our provincial school in Bełżyce" the Calvinists agree to it on condition that these students have no preceptors or "any persons of Arian service" with them and abandon religious disputes ("Acta... synodów districtu sęndomierskiego," fols. 35v–36).

⁹⁴ The Sienieńskis, in addition to a son, Kazimierz (or perhaps sons), had at least three daughters: Jadwiga who married Jan Moskorzowski in 1638, Aleksandra, wife of Krzysztof Wiszowaty, and a Sienieńska whose name is not known who appeared as a maiden in the synod collect of the Arian church in Czarkowy for 1655 (Amsterdam University Library, MS Ar 4²³).

converted to Catholicism after her husband's death⁹⁵ and gave the old post-Arian church to her new co-religionists who turned it into a Catholic church.

Earlier, in 1640, Zadzik started the construction of a parish church in Raków. After his death (1642) the construction was finished in 1645 by Bishop Piotr Gembicki from the fund left by Zadzik for this purpose. The first Catholic parish priest of Raków was father Teodor Zaporski,⁹⁶ coming probably from an Arian family and having a heated lawsuit with the Arians in the nearby Radostowo.⁹⁷ The Raków parish church was granted many endowments and religious brotherhoods were established by it. Attempts were made to involve the entire population of the town into them.

It does not mean, however, that there were no more Arian townsmen in Raków who attended church services in Radostowo. That Arian church existed until 1652 and its minister Andrzej Wiszowaty had the title of a "civium Racovianorum" shepherd. Back in 1654, the parish priest of Raków, Maciej Lorkiewicz, discovered crypto-Arianism among the townsmen and even town councillors. In 1661, during a Calvinist visit of inspection paid to Sieczków Jakub, a goldsmith from Raków, was reprimanded for the fact that, after his conversion from Arianism to Calvinism, he was not in the church in Sieczków⁹⁸ even once. As we can see, until the exile of the Polish Brethren, there were Arians in the town who converted to a different religion only trying to avoid exile. It is not surprising, then, that back in 1671, a Jesuit brotherhood was set up in Raków to combat "abominabiles blasphemias iram Dei provocantes".⁹⁹

For the Polish Brethren the fall of their spiritual capital was a very painful blow which the Arians said they could not forget "as long as there was spirit in the body and freedom in Poland and we were

⁹⁵ Sandius, op. cit., p. 97; Morawski (op. cit., p. 185) wrongly notes that Aleksandra Wiszowata was a sister of Sienieński and the wife of Benedykt, whereas Sandius writes that her husband was Krzysztof Wiszowaty.

⁹⁶ Wiśniewski, op. cit., pp. 375–377. Jan Zaporski from Zaporze appears among Arians in the second half of the sixteenth century, cf. *Reformacja w Polsce* 5 (1928), p. 93.

⁹⁷ For example, at the 1645 Sejm, father Zaporski had a lawsuit with Krzysztof Lubieniecki (junior) for the Arian minister illegally marrying people in Radostowo and for the bells from the church in Raków taken away by Sienieński (Bibl. Remonstr., MS 527, fols. 994–999).

⁹⁸ *Studia nad arianizmem*, p. 474.

⁹⁹ Urban, *Chłopi wobec reformacji*, p. 228.

in the world".¹⁰⁰ The fact that the judgement was passed with the acclamation of a majority of Catholic deputies and a weak opposition of the dissenters was the worst prediction for the future. Only one generation before the Catholic reaction would not be able to get a conviction for the Arians. In the 1630s, however, the generation brought up in the spirit of Counter-Reformation was already active in the public life and its most celebrated representatives put the religious zeal above class solidarity.

The generally tolerant Władysław IV Vasa also gave in to the general mood. It seems, however, that his position on the Raków case was influenced to the greatest extent by his will to win over the Chamber of Deputies which was extremely oppositional towards the king at that Sejm. In 1638, the deputies assumed a very hostile position on sea customs duties, foreign titles and the setting for the queen. Władysław IV Vasa was reproached for his illegal conscriptions, charged with plotting with the Habsburgs against the gentry, and striving for *absolutum dominium*. Ossoliński who was raised to the rank of vice-chancellor the day after the Raków case was made out (20 March 1638) was attacked equally sharply.

Perhaps both the king and his confidant, leaving the already unpopular Arians at the mercy of the noble public, wanted to create a platform of communication which would make it easier to win over the Chamber of Deputies for the court's plans. Perhaps, it was believed that the atmosphere of religious excitement would turn the deputies' attention away from the struggle against Władysław IV Vasa and his intentions. Finally, it cannot be ruled out that the king wanted to force through the summary trial in the Sienieński case to be able to later try other representatives of the gentry under this procedure, which would significantly increase royal prerogatives.

In conclusion, perhaps it is worthwhile comparing the Raków trial with the Vilnius trial which started a year later.¹⁰¹ In both cases, a minor incident (near Raków the Arians destroyed a cross, in Vilnius the Calvinists were allegedly shooting with a bow and arrow at St. Michael's image on the church's frontage) was used by the Counter-Reformation to unleash a trial. In both cases, the very course of

¹⁰⁰ From a speech by Arians at a regional diet in Krasnobród in 1638, quoted after Chmaj, *Bracia Polscy*, p. 472.

¹⁰¹ Cf. on this a comprehensive study by B. Zwolski, *Sprawa zboru ewangelicko-reformowanego w Wilnie w latach 1639–41* (Wilno, 1936).

the alleged sacrilege looks fairly vaguely in contradictory accounts. This did not prevent the Catholic reaction from introducing the case to the Sejm, where it was aided, both in the Raków and Vilnius trial, by Catholic senators with the same uncompromising zealots: Jakub Zadzik and Jerzy Ossoliński in the lead.¹⁰² In Vilnius, the legal action and religious tumults were equally referred to. The Counter-Reformation would have also done it in Raków if it had not been for such a high percentage of Arian population living in the town.

This comparison provokes reflection: was not the very idea of using a minor incident to destroy the entire centre of people of another faith taken by the Catholic circles in Vilnius from the Raków events?¹⁰³ In such a case one could say that attempts were made to repeat the Raków case in Vilnius but were less successful to the extent to which the Calvinists were stronger than Arians.

Trans. by Aneta Dylewska

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¹⁰² Cf. *ibidem*, p. 51. The senators, through Ossoliński’s mouth, even threatened the king at the 1640 Sejm that they would refuse him subvention for the war with Turkey if he failed to properly punish the Vilnius Calvinists (cf. pp. 51–52).

¹⁰³ This was noticed already in the seventeenth century by Andrzej Węgierski who writes about the connection between the Vilnius and Raków case, as follows: “Hoc factio in Racoviensibus experimento atque exemplo tanquam in una dissidentium parte, successit etiam quod fuit pridem in votis et machinationibus adversariorum, in altera dissidentium parte, nempe Evangelicis Vilmensibus”; A. Węgierski (called Regenvolscius), *Systema historico-chronologicum ecclesiarum slavonicarum* (Trajecti ad Rhenum, 1652), p. 258. Similarly Starowolski, praising Zadzik for his zeal, puts both trials in Raków and in Vilnius on the same level; Sz. Starowolski, *Vitae Antistium Cracoviensium* (Cracoviae, 1658), p. 299.