ABSTRACT: The following texts were chosen in order to illustrate the implications of the growth in Jewish population in Poland's larger towns during the sixteenth and seventeenth centuries when the number of Jews grew faster than the non-Jewish authorities would allow the Jewish quarters to expand. This led to an increasing degree of crowding in the Jewish quarter as a whole as well as in individual houses. To illustrate this, some demographic data on the situation in the Jewish quarter of Poznan may be seen in the presentation.

This presentation is for the following text(s):

- Cracow Community Ordinance of 5355
- Ordinance from the Pinkas of the Jewish Community in Poznań
- Responsa Be'er Yitzhak

Adam Teller

University of Haifa, Israel

Duration: 43:59
These texts were chosen in order to illustrate the implications of the growth in Jewish population in Poland’s larger towns during the sixteenth and seventeenth centuries when the number of Jews grew faster than the non-Jewish authorities would allow the Jewish quarters to expand. This led to an increasing degree of crowding in the Jewish quarter as a whole as well as in individual houses. To illustrate this, some demographic data on the situation in the Jewish quarter of Poznan may be seen in the presentation.

The first text is drawn from the Pinkas (Record Book) of the Jewish community of Poznan in 1686 and deals with the community’s attempt to make optimum use of the housing stock in the Jewish quarter. In order to ensure that as many families as possible were able to have their own apartment, the community cancelled the halakhic right of Bar metzera (see: Shulkhan Arukh, Hoshen Mishpat, #165), which gives neighbors first option on purchasing property when put on the market. It also forbade homeowners to knock down adjoining walls to turn two small apartments into one larger one and ordered them to rent out all empty apartments. The community also capped rental charges which tended to rise due to increased demand. Once again, this was aimed at allowing more families to rent their own apartments. Some idea of the expense involved in renting an apartment is given in a comparison with the Rabbi’s salary and expenses from 1638.

The term used here to indicate an apartment, "Heated Room", is found in all the relevant languages of the period: Bet horef in Hebrew, izba in Polish, and Stube in German and Yiddish. The heated room formed the center of social life in the apartment, with the other rooms (often little more than alcoves) serving only as auxiliary spaces.

The following texts, drawn from the 1595 constitution of the Jewish community in Krakow, shed light on cultural attitudes to communal living. The first stipulation seems to indicate low expectations of privacy: if women in a room did not open the door immediately on its being knocked, they were to be punished for an infraction of the
prohibition on playing cards. The second regulations which dealt with socio-economic regimentation regarding the size of wedding feasts for the different strata of Jewish society, set strict limits on the number of guests to be invited. However, in each case, neighbors living in the same house (or sharing the same apartment) were exempted. This might seem to indicate that, in Krakow at least, neighborly ties were understood as being particularly close – more important than friends, and possibly even than family, who were not included in the exemption.

The third text is a rabbinical responsum composed by Rabbi Yitzhak ben Avraham "Hagadol" of Poznan (1610s-1685, rabbi of Poznan, 1667-1685). Dealing with a case of adultery in the town of Labiszyn, not far from Poznan, the responsum's halakhic issue was that of Edei Kiur (see: Shulkhan Arukh, Even Ha'ezer, #11); the problem being that despite all kinds of partial testimony, no single witness had actually seen an act of adulterous intercourse taking place between two clearly identifiable individuals. From the graphic testimonies, it seems that in the living conditions of the period it was difficult, not to say impossible, to achieve intimacy in privacy. From the response, which indicated that failure to report such an incident to the local rabbi cast doubt upon the veracity of the witness, it would seem that the crowded living conditions could also act as a form of social control, in which any form of behavior outside accepted norms would immediately be noticed and reported to the authorities.
A woman who allows [cards] to be played in her house is to be punished and fined just like those who actually play. And when someone comes to a room of any kind to go in and knocks on the door, [if] no-one wants to open up, then all the women who are there should receive the above punishment. No excuse in the world can help them.

**Arrangements for Wedding Feasts**

When one pays taxes of up to 10 groszy inclusive, then one may not invite more than 25 people with their wives; [this is] apart from rabbis, a cantor, one beadle, a preacher, a master of ceremonies and two waiters and all the people who live in the house. These are not included [in the 25] but certainly cannot be excluded. People from out of town are not included, but one may only invite six unmarried boys and girls as one wishes. All the invitees may send fish.

The community beadles must inform the man holding the feast of the rules concerning what he should do on every occasion.

[When one pays taxes] of 10-20 groszy inclusive, [one may invite] 40 couples, not including the above [categories] who are not included, as well as 6 boys, 4 waiters, girls as he wishes...

From 20 groszy to one zloty not inclusive, one may invite 50 couples as above, apart from the above [categories] not included, 12 boys, 2 cantors, 2 beadles, 5 waiters.

All these kinds [of taxpayers] may not hold a prenuptial party of any kind under any pretext, not even just with close relatives and waiters. One may only invite sons and daughters, sons and daughters-in-law, and those who live with him in the same heated room. One may not include any more, even a bride and groom. No beadle can be invited and no public announcement can be made as in other kinds of feast.
Cracow Community Ordinance of 5355
Community Constitution, 1595

Prepared by Adam Teller, University of Haifa, Israel

EARLY MODERN WORKSHOP: Jewish History Resources

Volume 2: Jews and Urban Space, 2005, University of Maryland

Publisher: Jahrbuch der juedisch-literarisch Gesellschaft 11 (1916)

Copyright © 2012 Early Modern Workshop
From the Poznan Community Record Book

The Regulations of the Elected Officials, Written and Signed at the Bottom of the Page, [Dealing with] Matters and Arrangements About Apartments, Renting out Heated Rooms and Taking in a Lodger

[When] someone sells a house, the next-door neighbour has no right of "Bar Metzera"; only a joint owner of the house itself [has such a right]. Apart from that, the right of Bar Metzera is annulled. This is the right and proper thing to do in its cancellation and no judge should grant it.

From today it is forbidden to join two houses by breaking down the common wall to make a new entrance from the heated room to a bedroom or to add an apartment in this way. This total [ban] is imposed in order not to decrease the [amount of] housing. And all the more so is it totally forbidden to leave a heated room empty without tenants.

The rental for a heated room with two [additional] rooms is 80 zloties, [the rental for a heated room] with three rooms is 100 zloties, the rental for a heated room with four rooms is 120 zloties... Monday, 28th Tishrei, 5446

[The Community Expenses for 5398: Rabbi - Salary 130 zloties, Expenses 100 zloties]

Copyright © 2012 Early Modern Workshop
Ordinance from the Pinkas of the Jewish Community in Poznań
Sefer ha-zikhronot
Pinkas, 1686

Prepared by Adam Teller, University of Haifa, Israel

막ה' "ספר הזיכרונות" - פנקס הקהל של ק"מ פוזניא

 hoạchת המבוררים 헴 בכהות, ציור,❗️ בכף משל עניין, העווי וירור המשכיס בית החורק.writer מש皴 של הק･

מד שמעיר בה, שנא שיכין החורק ומסמרabi בוין, ואל עליי דרר המיצר מעלבך משיש ולא שחרית בואות בית.

ענמס הולות הז דר. דר מזראת כל מבית והשלח בבלוטין, עם דר משיש אל פסקץ עליה.

מהוים אסום להכין ביכר בכבת הבולע בכת בפותח והפתח, ולא פפתח בבלח החורק, של להער משכנא משל הכפים לא דיים להוריה.

אורפ מי' לבל ענין אסום בברוח כפל כל כל דבר של עם ממונ שכ' יוב ע' של כל ישרא עליתות סחי והHora פני. bölית דיוריין.

רשימה ביה ווריח עם סני ווריח ויה השכיר ע' שטח ויהו פ', עם שלשה חידים השכיר, או השכיר וה', או השכיר עם

ארבע חידים ויה השכיר' או השכיר וה'... ו', ח' השכר לפרצ זה זר מיש軟 על'ק

וזאצוא הקהל יז' בשתם שכת': נאמיק ל' ויה השכיר, ויה השכון].

Publisher: B. Weinryb (ed.), Texts and Studies the Communal History of Polish Jewry, New York 1950

Endnotes

First end note [1]
Subsequent end notes[2]

Copyright © 2012 Early Modern Workshop
Concerning Mr. Azriel's wife, about whom Mr. David testified that he saw her [acting] in an ugly way in that Mr. Azriel's employee used to hug and kiss her. Mr. David also testified that a few days after he saw this, he saw that the adulterer and the adulteress were standing in the heated room and that she was holding his genitals in one hand and spoke to him thus... This same David also testified that at a later time, he saw the woman in the heated room lying on her back on the long chest which is there. He saw that her hat had fallen off her head and that the adulterer was standing over her and had picked up her hat; she had pulled down her dress over legs while she was still lying down. And this Mr. David also saw that after the Shabbat meal, the adulteress sat with the adulterer in the heated room and let him [touch her]; she caressed his face, knelt over him, and kissed him, while he put his hand under her dress. Every day he saw them going to the well or into the stall like man and wife. Mr. David also said that a woman who had lived in Mr. Azriel's house spoke to him in this fashion, "What do you want? We have, for our sins, seen more than you that they lived together, for our sins, with each other like man and wife." This is the end of Mr. David's testimony.

A woman called Mrs. Feigel also testified that she used to live in the house of the same Mr. Azriel and that she once went to the heated room and saw four legs lying on the bed, with shoes and socks on. She jumped back into the [next] room and said to another woman who was in there, "See what it is to be man and wife: yesterday they were fighting like wild animals and just now I saw him pleasing her." The woman said, "It's a lie! Azriel left early this morning". This woman refused to believe her and asked the adulterer's fiancée - the adulteress's sister - whether Azriel was there, and she replied that he had traveled that day. We saw who the adulterer was - the young man, engaged to the adulteress's sister, went out around the back of the heated room...

Mr. Yirmiya Tailor also testified before the court under a most serious oath, that when
he first visited the Labishin community he was in Mr. Azriel's house and so saw the young man, [Azriel's] employee, hugging and kissing Azriel's wife, and behaving with her in every way as if they were man and wife, staying with her until midnight, hugging and kissing her. Later, when Mr. Yirmiya Tailor settled there with his wife, he went to live in Mr. Azriel's house. So [once] he was walking past the heated room, whose window was open, and he saw the young adulterer hugging and kissing Mr. Azriel's wife: they were sitting on the ground, and he was holding a piece of pickled herring in one hand and putting [food] in the adulteress's mouth with the other. This is the end of Mr. Yirmiya Tailor's testimony.

**Responsum**

The ugly matters about which the above witnesses testified [were not all seen at the same time by the same witness] - each one saw something different...

And in addition, one of the witnesses to these ugly acts is Mr. David Lesher. At first he did not say anything - it was only after the fight which he had with Mr. Azriel. During the argument he told him that his wife was unfaithful in order to disgrace him. Later, when he was asked during the deposition he repeated the same [story] about the ugly acts he saw, as is clear in the court records. There is some concern here that he may have spoken out of hatred. It is also questionable in my eyes that he saw these ugly acts but did not say anything about them to the rabbi in order to prevent forbidden deeds from being committed...

And if so, since the witnesses in this case did not specify on which date, at which hour and on which day of the week [these acts were committed], it is taught in the chapter "They Would Check" (B.T. 40r.) that in investigations, when one man says that he doesn't know, the evidence is disqualified...

It is also written in the "Breastplate of Justice" [in the Shulkhan Arukh] that one cannot rule on the basis [of evidence not given before the defendant], so one should go back and repeat the testimony in front of [the defendant], and if they change what they originally said, the evidence given before the defendant should be followed... and everyone admits that in this case` more investigation and inquiries are neccessary.

Copyright © 2012 Early Modern Workshop
RESPONSA BE'ER YITZHAK

YITZHAK BEN ARAHAVAH, BEFORE 1685

Prepared by Adam Teller, University of Haifa, Israel

56
מחבק וונשק עם אשא אל צל' חורי, ורשים חורי על האור, ויבד אהבה, והיה לה חיותה ומלות, ויבד וחיה חיה.

לוחק פה של המנafka, "אני חיה של כmr. חיותיה נהיה" ו"ב"...

השובה

הכעורים דבר" "אין שיעודי העדות והלא אחרים העשים את זה, והלא זה...

וער של מי מעיר העור והאות FOREIGN, ד"ד בהיותי לאgies כלום, רק אחר הכותנה שזכותה בין מבני" חורי.

ובשעת הכותנה מארח הלבר אבות, אך שיאשתו נקתה, או"ד כששלא יאתר בשעת לברית העדותombres אנור barber כעורה...

מעishments הבאר האב א"ד, ויה לוחש שאמר כמחמת השארה כמחמת המשא והשא הבודא над עליי את,...

שהחר כיו לארונך מאסורה...

ואם כן כיוי של人工智能י העור במ"ד בNonNull הבחנה והصلة אלא אורח השעה אלא באיהו די, ויה נועד "אני כידועב".

[מנהדיר ד"ד מ"א [עבוקרטות אמא אמו א"ד] ידיעת ויה בעתית ב"ש...]

וכן אדם בת"מ... אדם דنبي על פי [של עדות שנמצאת אלא לפני בני המובר], והוורית וכרדינו בתינו, ואה שיעודי...

וממה שנותני ברואתך, הליכם אחר עדות שנאותו בפי, "י"ד מבוגר עדות" ויה השיעודי והוך הקורא.

Publisher: (Jerusalem, 1982), no. 100

Copyright © 2012 Early Modern Workshop