

**The Views of the 1831 Insurrectionary Sejm on Collecting the “Conscription Tax”
from Jews
Robert W. Szwed**

In the Polish gentry Commonwealth Jews did not serve in the army. Yet in an emergency, at times of historical crisis they were called upon to fulfill various duties towards the army. During the wars against Russia, the Tatars, Sweden, or Turkey in the seventeenth century Jews were obliged to supply levies, took part in the defense of besieged towns, in building their fortifications, purveyed armaments, and rendered other services for the military.¹ During the insurrection led by Kościuszko many Jews were happy to volunteer to his army, bravely fought in the bloody battles of Warsaw, and in April 1794 the famous Berek Joselewicz regiment was set up. Most of its soldiers were killed in the battle of Praga. Jews joined also the legions organized by Polish emigrants abroad.

In the Duchy of Warsaw military service was compulsory for Jews, until their rights were suspended.²

The tendency to exclude Jews from fulfilling this citizen's duty continued in the Polish Kingdom with the denial of their civil and political rights. The decree of October 5 (17), 1816, introduced compulsory military service of ten years for all men from twenty to thirty-year-old. The conscription regulations applied also to the Jewish population. Personal military service of Jewish men was favored by Tsar Alexander I and corresponded with the rules set up by the governor Novosiltsov in his project of the general status of Jews in the Polish Kingdom. A secretary of state advised the government of the emperor's opinion. The matter was debated at a meeting of the Administrative Council on December 10, 1816, when the ministers of justice and of the treasury requested that an ordinance be issued prohibiting Jews to seek exemption from the military service.³ At the very meeting the governor suggested for the first time to resume the practice of the Duchy of Warsaw and let Jews buy themselves out of the military service. Shortly the Council of State of the Kingdom passed a project of collateral regulations concerning the conscription of Jews, approved by the Administrative Council on December 21, 1816. The tsar accepted this solution and by the decree of December 26, 1816 (January 7, 1817) defined the details of Jewish military service. Art. 3 of the decree provided for an option, in case of Jews, to buy oneself out of the military service.⁴

With the groups of more assimilated and better-off Jews striving to obtain full civil rights, a few years before the November 1830 uprising, the question of Jewish military service was raised again by the Committee for Jewish Affairs and its Advisory Chamber. The members of the latter body argued that people were motivated to serve in the army by either of the two: the love of their homeland or the love of glory. If Jews seemed reluctant to join the army, it was mainly due to the fact that the regime would not grant them equal political nor even civil rights, imposing instead special Jewish taxes and curbing their

¹ M. Horn, *Powinności wojenne Żydów w Rzeczypospolitej w XVI i XVII wieku*, Warszawa 1978.

² A. Eisenbach, „Centralna reprezentacja Żydów w Księstwie Warszawskim (1807–1815)”, *Bleter far geshichte*, t. II, Warszawa 1938, p. 68.

³ A. Eisenbach, *Emancypacja Żydów na ziemiach polskich 1785–1870 na tle europejskim*, Warszawa 1988, spp 267–274.

⁴ *Dziennik Praw KP*, t. III, p. 31.

settlement. Such factors could not but diminish their love for the country, as if trying “to keep them in this mistaken belief that Poland is their step-mother, not a real one.”⁵

The Committee for Jewish Affairs requested that young Jewish men be drafted into the army, regarding active military service an important factor in the process of Jewish emancipation. With regard to the committee’s remarks the Administrative Council in the resolution of May 29 1827 passed some prerogatives for Jewish veterans of the Polish army. The proposition to have Jews drafted into regular military service was, however, turned down, significantly at the time when Jewish military service was initiated in Russia proper, not to mention European countries, where it had been in force for many years.⁶

What was the situation in this respect in other parts of Polish lands under foreign rule? In Austria, including Galicia, the law on compulsory military service applying to Jews was passed in 1788. Emperor Leopold II did in fact issue (in August 1790) a decree substituting personal service for a tax imposed on Jews, but not later than in 1804, due to the conflicts with France, Jewish military service was restored. During the Napoleonic wars several thousand Jewish soldiers, who could be even promoted to officer’s ranks, served in the Galician army.⁷ The situation in Prussia and in some German states was similar. Regular military service of Jews started in the 1813-15 war.

Let us come back to the situation in the Polish Kingdom and the stance the National Government and the Sejm during the 1830 uprising.

At the meeting of the Sejm on May 26, 1831 with 65 delegates and deputies present⁸, a proposal of the law on the conscription tax for Jews was discussed. The proposal, submitted by the National Government, was first consulted at parliamentary committees. The Government insisted that no Sejm bodies had been involved in the first agreement with the Jewish people on the possibility of buying oneself out of the personal military service concluded in 1817. Another point in the government’s claim was the inadequacy of the amount of the tax as compared to the present situation with the mass of the armed forces during the uprising exceeding the 1817 army by four times.

The session was presided by the Speaker Władysław Ostrowski⁹, who asked the Secretary Ksawery Czarnocki¹⁰ to present the proposal:

⁵ A. Eisenbach, „Memoriał o położeniu ludności żydowskiej w dobie konstytucyjnej Królestwa Kongresowego”, *Teki Archiwalne* nr 21, Warszawa 1987.

⁶ A. Eisenbach, *Emancypacja Żydów na ziemiach polskich 1785-1870 na tle europejskim*, pp. 267–274.

⁷ M. Bałaban, *Dzieje Żydów w Galicji*, p. 38 ff.

⁸ Augustowski Jan, Baczyński Cyprian, Biedrzycki Ksawery, Brinken Józef, Bukowski Jan, Bykowski Antoni, Chobrzyński Wojciech, Chodecki Wojciech, Chomentowski Franciszek, Cissowski Marian, Czarnocki Ksawery, Floryanowicz Jan, Fritsch Adam, Gawroński Wincenty, Gliszczyński Jan, Nepomomucen, Gumowski Feliks, Jaksiewicz Antoni, Jan Charzewski, Jezierski Konstanty, Klimontowicz Jakób, Kozłowski Kajetan, Krysiński Dominik, Ledóchowski Jan, Ledóchowski Józef, Libiszewski Antoni, Lutostański Ludwik, Lempicki Ludwik, Łuszczewski Adam, Małachowski Gustaw, Markowski Feliks, Mazurkiewicz Andrzej, Miaczyński Stanisław, Modliński Józef, Morozewicz Kalikst, Niesiołowski Ksawery, Obniski Franciszek, Okęcki Jakób, Ostrowski Władysław, Piotrowski Michał, Plichta Antoni, Poletyło Alojzy, Pstrokoński Rafał, Radoński Marcin, Rembowski Antoni, Rostworowski Jan, Sołtyk Władysław, Starzeński Józef, Suchecki Florjan, Swirski Józef, Szaniecki Jan Olrych, Śląski Teodor, Świdziński Konstanty, Walewski Ferdynand, Walewski Michał, Wężyk Ignacy, Wiszniewski Józef, Witkowski Klemens, Witkowski Konstanty, Wołowski Franciszek, Zalewski Franciszek, Zawadzki Antoni, Zawadzki Władysław, Ziemięcki Józef, Zwierkowski Walenty.

⁹ Ostrowski Władysław (1790-1869), deputy for Piotrkow powiat (Kalisz region) to the 1830 Sejm. (M. Karpińska, *Senatorowie, posłowie i deputowani Księstwa Warszawskiego i Królestwa Polskiego*, Warszawa 2002)

¹⁰ Czarnocki Ksawery, deputy for Stanisławow district (Mazovia).

Art. 1. The agreement with the Jewish people concerning the exemption from personal military service as concluded on January 6¹¹, 1817, together with the decision of the King's governor of December 6 the same year, concerning the amount of conscription tax collected from the Jewish inhabitants of Warsaw, are hereby repealed.

Art. 2. The Jewish people in the Polish Kingdom is to be exempt from personal military service throughout the year 1831.

Art. 3. In place of the personal military service the aforesaid people are to pay for the year 1831 compensatory tax equivalent to four early amounts of conscription tax collected formerly.

Art. 4. The collection of the tax, unless a regular military service discharges the volunteer with his wife and children, will proceed as beforehand.

Art. 5. The enactment of the present resolution rests with the National Government.¹²

The government speaker for the proposal was Alojzy Biernacki, the minister of revenue and treasury. Putting his case the minister explained, that any citizen born in the Polish land, regardless of his religion, should be obliged to fulfill his duty to serve in the national armed forces. Nevertheless, as it had been previously asserted, Biernacki argued, "in view of the way of life, rites, and customs that the Israelites pursue in their home and public life, drafting the youth of this faith to the regular army would not benefit the national defense cause".¹³ Biernacki censured the 1817 agreement arguing for the change of rules.¹⁴ With reference to article 91 of the national constitution, he emphasized unconstitutional character of the agreement, which had been concluded without parliamentary procedures. The National Government was of the opinion, to quote Biernacki, "that at present, when the armed force has been enlarged four times, the previous amount of ransom of such a sacred duty cannot be maintained. Hence, proportionately to the enlarged and expecting further enlargement of the number of the military, it transpires, that the former conscription tax multiplied four times is quite a moderate equivalent of the regarding obligation which the Jewish people should fulfill."¹⁵

The Minister divulged that during the discussions, which were held in the parliamentary committees prior to the general debate, the voices were heard that "it would be a rightful thing to let the Jewish people freedom of choice: whether they report into the army in person or otherwise pay the conscription tax". Biernacki disagreed, contesting the assumption that Jews, reluctant to join the army in the time of peace, would be willing to do it during the war. Still, he admitted that drafting the Jews would be a major step towards their citizenship and emancipation, but in his opinion the timing for such a radical reform was bad. "It has to be put aside, together with other improvements to be implemented by the National Government at some more favorable moment."

According to Biernacki, it was necessary to maintain the previous way of collecting the tax, for two reasons: the valid regulations prevented any deficit and introduced

¹¹ The month is mistaken: it should be August.

¹² *Diariusz sejmu 1830–1831*, ed. by M. Rostworowski, Kraków 1910, t. IV, pp. 2–3.

¹³ Tamże, p. 3.

¹⁴ „It was concluded at the request of the delegates of the Jewish people. Thereof Jews were exempt from personal military service for an annual tax of 600,000 (excluding Warsaw), and besides for the such exemption of the Warsaw inhabitants the agreement of Dec.6, 1817 provided for ther amount of 100,000 zlotys. The total revenue was thus 700,000 zlotys” (ibidem).

¹⁵ Ibidem, p. 4.

collective responsibility for the entire sum, thus guaranteed the public revenue; whereas implementation of any new rules of the collection would be time consuming and would require new methods, thwarting the entire plan to replenish the state funds shortly. The synagogal boards were trusted with the distribution of the tax, since they were best informed as to the assets of individual Jews and their income. The minister Biernacki concluded with an appeal to pass the new law.¹⁶

The next to speak on behalf of the National Government was the minister of war, General Franciszek Morawski, who also argued that the Jews should be exempt from personal military service in 1831. While extolling the courage and valor of the Polish soldier, Morawski did not hold Jews in such high esteem: “The people of Israel were once famous for their bravery, as we know from their ancient history, but in our country it were only some individuals who distinguished themselves in battle. With due respect we recall the name of the gallant Berek, but it is his individual virtue; we have never seen this people massively interested in the common cause”. Morawski observed, however, that there were, but a very few, Jews demonstrating national commitment. “I do not intend to belabor whether they are to blame, or it is us who failed to Polonize them; the fact remains; the squad they have offered to set up is a sufficient proof. Several months have passed and hardly a dozen volunteers have signed up, and the government has to press upon them to contribute the necessary funds”. The speaker continued to consider the possibility to use Jews in auxiliary service such as armaments’ and supplies transport. In his opinion this kind of service was most easily affected by insubordination. He even referred to some cases of treason by Jews “bought out by Russian rubles”. He concluded with the following remark: “A national army should be enthused with one feeling, one spirit, and, if possible, be of one faith.”¹⁷

An interesting debate followed the speeches of the government officials. The addresses of the deputies indicated the common dissatisfaction with the fact that Jews were to be treated differently than the entire population. On the other hand equally common was the conviction that the timing was not good to introduce a fundamental reform and draft untrained Jewish soldiers into the army. Eighteen deputies and delegates spoke up on that day: W.Chodecki¹⁸, F. Chometowski¹⁹, J. Klimontowicz²⁰, D. Krysiński²¹ (3), J. Ledochowski²², L. Lempicki²³, A. Luszczewski²⁴, G. Małachowski²⁵, A. Mazurkiewicz²⁶, K. Morozewicz²⁷ (3), A. Rembowski²⁸, T. Slaski²⁹, K. Świdziński³⁰ (4), J. Świrski³¹, I. Węzyk³² (2), F.

¹⁶ Ibidem, p. 6.

¹⁷ Ibidem, pp. 6–8.

¹⁸ CHODECKI WOJCIECH, deputy for a Leczyca constituency (Mazovia) to the Sejm of 1825 and 1830.

¹⁹ CHOMĘTOWSKI FRANCISZEK, deputy for a Sandomierz constituency, to the Sejm of 1830.

²⁰ KLIMONTOWICZ JAKUB, deputy for an Augustow constituency (Augustow region) Sejm of 1830.

²¹ KRYSIŃSKI DOMINIK (1785–1853), deputy for a Warsaw constituency (no. 5) to the Sejms of 1818, 1820 and 1825; from March 18, 1831, a deputy for Warsaw constituency no. 4.

²² LEDÓCHOWSKI JAN (1791–1864), deputy for Jedrzejow powiat (Krakow region), Sejms of 1825 & 1830.

²³ LEMPICKI LUDWIK (d. 1871), deputy for Opatow and Solec poviats (Sandomierz region), Sejms of 1825 & 1830; from 8.08.1831 a senator-chatelain of the Polish Kingdom,

²⁴ ŁUSZCZEWSKI ADAM, DEPUTY FOR SOCHACZEW POWIAT (Mazovia) Sejm 1830.

²⁵ MAŁACHOWSKI GUSTAW (1797–1835), deputy for Szydłow powiat (Sandomierz region) Sejm of 1830; lost his mandate upon nomination to a governmental position; re-elected for the same constituency 6.06.1831.

²⁶ MAZURKIEWICZ ANDRZEJ, deputy for a Zamosc constituency (Lublin region) Sejm of 1830.

²⁷ MOROZOWICZ KALIKST (1799–1872), deputy for Lublin Powiat to Sejm of 1830.

²⁸ REMBOWSKI ANTONI, a Kalisz City deputy (gmina 2), to Sejm of 1830.

²⁹ ŚLASKI (ŚLAŃSKI) TEODOR, deputy for Kielce powiat (Krakow region) Sejm 1830.

³⁰ ŚWIDZIŃSKI KONSTANTY (1793–1855), deputy for Opoczno powiat (Sandomierz region) to Sejm of 1830.

³¹ ŚWIRSKI JÓZEF (1784–1854), deputy for Hrubieszow powiat (Lublin region) to Sejms 1825 & 1830.

Wolowski³³, W. Zwierkowski³⁴ (2) and Antoni Gliszczyński, the minister of homeland security.

The proposal was sharply criticized by Świdziński. In his view military service was the highest sacrifice that the society could claim from its members. No one should have the right to be excused from such a duty. Świdziński had an idea that a would-be recruit could suggest a replacement. “Shall we let the blood of our farmers, craftsmen, and citizens be spilt for nickels?” – he called dramatically. “The principle of this law is barbaric, inhuman, unworthy of our age.” The government should look for sources of funds, especially as the amount collected, in twelve monthly rates, would not be of much use for the Treasury. Świdziński criticized also the idea of entrusting the distribution of the tax to synagogal boards, whom he suspected of partiality and favoring wealthier families to the detriment of the most destitute. Concluding he motioned to vote down the proposal and draw up a better one.³⁵

Swirski did not share his opinion, underscoring that Jews were in fact removed from “citizen’s rights”. Still, he continued, both in moral and in practical terms their worth in the army would be none. Therefore, the proposal should be endorsed in order to contribute to the patriotic cause at least financially.³⁶

Węzyk agreed with Świdziński in that no money should exempt a man from the military service, but was persuaded to back up the proposal by the minister of war, “as in our present war to liberate Poland only Poles themselves, freedom inspired, can fight”. Yet Węzyk proposed to grant civil rights to the Israelites and make them capable of military service in some future peaceful times. “Nowadays it is hardly conceivable “, he concluded.³⁷

Zwierkowski pointed out that the law would be valid for just a year and was an emergency. He contested Świdziński’s suggestion, asking, where would the Jews find their replacements, “when everybody is already out in the field spilling his blood for his homeland?” His major point for accepting the law was the need to have brave men in the army and not the cowards. Zwierkowski explained the stand of parliamentary committees, who must have taken into consideration the need to prepare new conscription registers in case a new law allowing for Jewish military service was passed. Such a move would considerably postpone the entire conscription.

Quite an opposite view was voiced by Łempicki. He believed that Jewish disinclination to join the national cause was not without grounds, because “we did nothing to commit them to this nationality, while putting them off socially”. “One eighth of our population consists of them”, he pleaded. “It is the right thing to treat them as fellow citizens. They are no less capable of military state than others; let us not be prejudiced by their trepidation; we can see individually as they can defend themselves and attack, if need be.”³⁸

Morozewicz tried to recapitulate the debate. There was a majority on some points; some of the previous regulations, as he listed them, should be changed. He also pointed to

³² WĘZYK IGNACY (ok. 1783–1875), deputy for Biała Podlaska (Podlasie region) to Sejm of 1825; deputy for Losice powiat (Podlasie region) to Sejm 1830.

³³ WOŁOWSKI FRANCISZEK (1791–1847), deputy for a Warsaw constituency (Mazovia) to Seyms 1825 & 1830.

³⁴ ZWIERKOWSKI WALENTY (1788–1859), deputy for Olkusz constituency (Krakow region) to Sejm 1825; deputy fro a Warsaw constituency (no.7) to Sejm 1830.

³⁵ *Diariusz*, pp. 8–11.

³⁶ *Diariusz*, pp. 11–12.

³⁷ *Diariusz*, p. 14.

³⁸ *Diariusz*, p. 12–13.

the difference of opinions on the procedures to be taken. Thus, two motions were put forward. One to the effect that Jewish contribution should be partly in men from the lower class, and partly in money collected from the affluent ones for replacements; the other, to confine the contribution to money matters. Morozewicz opposed the idea of drafting Jews to the army, since, in his words, “I am persuaded by the life-long practical experience that such help would be no good, or, in fact, even harmful”. Collecting money was justified in Morozewicz’s eyes, but he objected to the former method, which he considered unjust.³⁹

Świdziński spoke up again: “Our national representation should be repelled by this sum, which we shall get from the Jews in return for the blood of our brethren.” In case the law was passed, he proposed to set up a fund with the money collected, to sustain volunteers after the war. Having, however, in mind the lamentable condition of the state treasury and the urgent need to restock it, the deputy postulated a lump sum be paid to the benefit of the cause. His concluding words were: “Some claim that this class will not share the spirit that inspires the army, because it is deprived of any rights. But the same can be said of our peasants, who have no more rights than Jews and are similarly oppressed, and yet fight and sacrifice their blood for their country.”⁴⁰

Wołowski called that “first it is our sovereignty that we have to win, and then think of internal amendments”. The amendments should undeniably include the improvement of the condition of Jews; “It is no time to test nor to use the people, who have some reason to be disheartened, to stand for the most precious freedoms.” He motioned for an amendment of article 4, to the effect that the state administration should distribute the tax duties, while the kahals acted as advisory bodies.⁴¹

In reply to Świdziński, Jan Ledóchowski observed that money should not be found repellent, when the treasury was empty. “Whatever the source of the funds, provided the are lawful, let them replenish the reserves”. The proposed law was, in his view, needed and appropriate. Ledochowski endorsed the preceding speaker, Wołowski, in that the collection of the tax should be entrusted to the state administration and not to the kahals.⁴²

Chometowski did not see any chance to introduce personal military service for Jews, considering their total lack of training. Collecting a tax seemed the only possible equivalent, provided that “the distribution of obligations should not proceed along the former lines, since we have learnt from the experience how unfair the distribution used to be with the heaviest burden resting on the poorest class, while the wealthy ones managed to relieve themselves.”⁴³

Chatelaine Głiszczyński, the minister of homeland security, reflected that the propositions put forward during the debate referred to the rules discussed by parliamentary committees since the establishment of the Polish Kingdom and its Sejm. In the present situation, Głiszczyński argued, these rules could not be applied. He saw the proposed law as a must, while the Sejm should make use of these suggestions in the future. As for the faults found in the proposal, he addressed the major indictment, in his opinion, concerning the oppression of the poorest by the kahals. The minister refuted it on the grounds that the kahals had been abolished and replaced by the synagogal boards, who were then responsible for the distribution of taxes. Głiszczyński gave a detailed account of the distribution system, which involved five social

³⁹ *Diariusz*, p. 14–15.

⁴⁰ *Diariusz*, p. 15–16.

⁴¹ *Diariusz*, p. 16–17.

⁴² *Diariusz*, p. 17–

⁴³ *Diariusz*, p. 18–19.

classes; each of them was taxed according to the income. The lowest class, consisting of beggars or crippled persons, was exempt from the tax altogether. The state administration supervised the distribution of the dues, first in district committees, then at the level of voivodships (provinces). Complaints were investigated there. Finally, the minister declared the tax could be paid in installments to make the collection easier, and hoped that a major criticism of the proposal was proven false by his explanations.⁴⁴

Yet, the very next speaker, Gustaw Małachowski, reiterated the criticism of unjust fiscal distribution, and repeated the proposal should be rejected.⁴⁵ Klimontowicz advised that “if we cannot draft to personal service, then let us impose the tax without oppressing the poor; let the rich pay it, while the poor could join the army, provided they get civil rights for good conduct. Whoever lives in this land is obliged to defend it, the wealthy in particular.”⁴⁶

Chodecki was even more radical in his criticism of the proposal. He maintained that “It is out of place at the legislative bodies to impose conscription tax on every Jew without exception, when there are many unfit for the army”. Upon hearing the voice of the minister of war, who maintained that Jews would not be useful in the army, Chodecki proposed a new rule to base the law upon. The idea was to demand that they contribute an eighth part of the war costs, since they were one eighth of the entire society.⁴⁷

The debate over the contents was followed by arguments concerning parliamentary procedures. The foremost question was whether to vote the entire law the same day, or to send the proposal back to the committees and demand that new rules of tax collection be drawn up. Most of the deputies was for sending the proposal back to the committees. The latter responded very promptly, because in just two days, on May 28, 1831, the corrected motion was brought up at plenary session again.⁴⁸

The minister of revenue and treasury reported that the parliamentary committees, upon considering the amount to be collected and the collection regulations, agreed to add just one amendment to article 3:

“In place of the personal military service the aforesaid people are to pay for the year 1831 compensatory tax equivalent to four yearly amounts of conscription tax collected formerly. Moreover, imbursement of this tax shall not relieve the Jews from contributing, along with other classes, to the eight regiments that are to be set up by the precept of the law passed by the Sejm on May 20, 1831.”

The minister explained the decision of the committee: “The difference between a peacetime conscription and a wartime conscription is so great that the conscription tax should amount to 24 millions. Such an increase, though justified, will be impossible to enact, since the resources of the Jewish people would not suffice to pay it. It thus seemed right to increase the tax five times, namely multiply the tax amount by four and include the contribution to eight new infantry regiments”. As to the rules of the tax collection the committees the committees were convinced that the distribution suggested by the Israelites was reasonable and efficiently supervised by the government.⁴⁹

⁴⁴ *Diariusz*, p. 19.

⁴⁵ *Diariusz*, p. 20.

⁴⁶ *Diariusz*, p. 20.

⁴⁷ *Diariusz*, p. 20–21.

⁴⁸ *Diariusz*, p. 25, 55.

⁴⁹ *Diariusz*, p. 55–56.

The debate started with the same deputies speaking up and the same dominating: Świdziński, Zwierkowski, Śląski, Świrski, Mazurkiewicz and Węzyk.

Świdziński objected to the fact that the proposal was revised by the fiscal committee, despite being sent to the joint committees. “The fiscal committee on its own accepted the proposal in the same spirit as before and against the parliamentary majority.” Hence, he concluded, the proposal should not be debated on that day.⁵⁰

Upon the account of Węzyk, who stated that the meeting of the committee on the previous day was attended by the delegates of all committees (“There were fifteen of us, including the senate commissars; we were in the right to discuss”), the committees decided that the rules of tax collection could not be changed, because two rates had already been collected (an ordinary one of 700,000, and another, the same, as decreed by the Dictator). The deputies wanted to comply with the demands of the parliamentary majority and increased the amount with an annual rate to contribute to the uniforms of new regiments. Thus Israelites were to contribute over 3,500,000. as regards the distribution of the tax the members of the committee were persuaded that it was not arbitrary, and synagogal boards were best informed on the material status of any Israelite.⁵¹

After these explanatory remarks, the main opponent of the proposal spoke up again. Świdziński said that instead of re-working the entire document, the committees just added a minor note. Thus the directive of the Chamber was not carried out. In view of the fact he suggested a new principle. The previous system of conscription tax amounted, in Świdziński’s opinion, to abuse of power. Contrary to his proposition, which would also help the government to achieve its goal, that was to have Jews contribute financially, and not in person, to the national defense, but on different principles. Świdziński reminded that setting a new army, 20,000 men strong, was at stake, with 2,000 soldiers to owe their equipment to Jewish contribution. Hence his postulate that one to ten recruits would be replaced by a volunteer. His estimate of the cost of a single replacement was 2,000 zlotys, making for the total of 4 millions zlotys for the Jews to contribute to set up all replacements. The treasury would be restocked, and 2,000 volunteers would have their future provided for with a fund of 2,000 zlotys each to be received after the war. Furthermore, Świdziński continued, Israelites could imburse the profit of the entire sum, namely 200,000 zlotys to give every volunteer a 100 zlotys incentive. “This way we would not increase the number of the recruits the population would be compelled to provide, while the volunteers would not need to worry about their future”⁵², the speaker concluded.

The deputies did not appreciate the postulates of Świdziński. Śląski, Świrski, Mazurkiewicz, Szaniecki and Zwierkowski decided to respond. Their foremost objection concerned the fact that there was no decree on the recruitment of a new army of 20,000 soldiers, but the idea to set up a separate fund was also censured as detrimental to the national property as a whole.⁵³

Upon the decision of the Chamber to accept the proposal in the form submitted by the committee, a brief debate was initiated on the contents of particular articles.

⁵⁰ *Diariusz*, p. 56–57.

⁵¹ *Diariusz*, p. 57–58

⁵² *Diariusz*, p. 59–60.

⁵³ *Diariusz*, p. 60–63.

The House of Senators and the House of Representatives, at the National Government's motion and upon hearing the opinion of the committees, bearing in mind that the agreement with the Jewish people in the Polish Kingdom concerning the tax for the exemption from personal military service, concluded in 1817, involved resolutions passed without proper Sejm procedures, to the degree unprovided for even in the decree of January 7, 1817; thus considering also that the amount of the tax is not adequate to the increased number of the national military force, have resolved as follows:

Art. 1. The agreement with the Jewish people concerning the exemption from personal military service as concluded on August 6, 1817, together with the decision of the King's governor of December 6 the same year, concerning the amount of conscription tax collected from the Jewish inhabitants of Warsaw, are hereby repealed.

Art. 2. The Jewish people in the Polish Kingdom is to be exempt from personal military service throughout the year 1831.

Art. 3. In place of the personal military service the aforesaid people are to pay for the year 1831 compensatory tax equivalent to four early amounts of conscription tax collected formerly. Moreover, imbursement of this tax shall not relieve the Jews from contributing, along with other classes of inhabitants, to the setting of an army by the precept of the law passed by the Sejm on May 20, 1831.

Art. 4. The collection of the tax, unless a regular military service discharges the volunteer with his wife and children, will proceed as beforehand.

*Art. 5. The enactment of the present resolution rests with the National Government.*⁵⁴

The open vote was then taken. The following assessors were appointed: Plichta, Augustowski, Klimontowicz, and Niesiolowski. To vote for required saying: *affirtive*, against: *negative*. The result was 59 for, to 8 against.⁵⁵

A heated public debate over the Jewish question flared up also in the press, demonstrating sharply the drastic differences of opinion on this urgent social matter.

Without going into details of the press polemics, I found it worthwhile to quote some Jewish voices critical of the government proposal. At the time the debate was going on in the Sejm, there were some references to the state of affairs in France, Holland, Great Britain, North America, where Jews attained higher cultural standard thanks to their full emancipation. The columnists reminded their readers that Jews were already participating in the defense of their country. During recent events in France, Modena, and Germany Jews proved that "they cherish the love of their homeland, that they are not deaf to its appeal, and that they can act, if need arises, and if their Christian neighbors let them call the land of their birth their own homeland, too".

Various arguments of moral and political nature were also summoned up in the debate. No nation, it was argued, can reclaim its political sovereignty, unless "it sets to crush the bonds of injustice and prejudice". Hence the urgent need to combine the fight for independence with granting equal rights to all inhabitants. The government should call Jews up to serve in the regular army, but also "make them equal in privileges to other religions in

⁵⁴ *Diariusz sejmu 1830–1831*, ed. by M. Rostworowski, Kraków 1910, t. IV, p. 2–3.

⁵⁵ The following deputies voted against: Konstanty Świdziński, Gustaw Małachowski, Ludwik Łempicki, Jan Nepomucen Gliszczyński, Alojzy Poletyło, Ignacy Dembowski, Wojciech Chodecki and Antoni Zawadzki (*Diariusz*, p. 71–72).

our country..., and it will be for the entire world to see how wrong they were to denounce Polish Jews with contempt and contrary to the spirit of our age”.

The beginnings of the uprising were recalled in many publications, with the then appeals to the authorities to let Jews participate in the “fight for our common political autonomy, as well as for the liberties and privileges of free men”. It was believed then, that the government, Sejm, and public opinion would welcome Jews as brothers. Why, asked a journalist, Germans, Frenchmen, Tatars, and Circassians were allowed to serve in the army despite the fact that they did not recognize Poland as their homeland? The writers declared that almost entire Jewish youth was spoiling for education in order to become useful segment of the society, to be included in the ranks of citizens and defenders of the law and freedom in the country. The minister’s of war opinion on the Jewish lack of valor was considered unjust and derogatory. Anyway, the authors argued, how could Jews display their bravery, “when they were never admitted to the national ranks as ordinary Polish soldiers”.

And yet another point was made. Passing the law on the conscription tax the Sejm ignored the European public opinion. It would pronounce a verdict on the nation who in their striving for independence left out a group of 400,000 people living in their country without any civil rights at the moment when it could have “by one word spoken, elevated them to the dignity of man and include many a brave defenders among their heroic ranks and good citizens.”⁵⁶

Given the discouraging stance of the government officials, of the parliamentary majority, and the gentry-based public opinion, on the emancipation of Jews, the latter could have hardly be enthusiastic about joining the insurrection forces. According to contemporary sources many Jews served in the 4th regiment, and some Kalisz and Mazury squads were predominantly Jewish, with many soldiers promoted to officer’s ranks. Quite a number were employed in the medical service. It has been established that in 1831 there were 43 Jewish doctors, assistant doctors, surgeon, and paramedics, who served in the fighting forces, in field hospitals, and ambulances in various towns. Many were awarded, and three with *Virtuti Militari* medals. Besides Jewish communities provided the insurgents with armaments, gear, uniforms, and funds. Several announcements to the Jewish populations were published during the uprising.⁵⁷

Yet even relatively limited Jewish participation in the uprising indicated their ties with the nation, their civil consciousness, and their striving to join the patriotic effort to bring down the foreign rule. For the Jewish society, for young Polonized Jews in particular, the May law of the Sejm was a bitter disappointment.⁵⁸

⁵⁶ *Polak Sumienny* 30 IV, 1 V, 13 V, 5 VI 1831.

⁵⁷ E. Stocki, „Żydzi w służbie zdrowia w powstaniu listopadowym”, *Biuletyn ŻIH* 1957, nr 21, pp. 104–114; R. Gerber, „Ofiarność Żydów w walkach o niepodległość Polski”, *Głos Gminy Żydowskiej Warszawa* 1939, p. 87–88.

⁵⁸ A. Eisenbach, *Emancypacja Żydów na ziemiach polskich 1785-1870 na tle europejskim*, p. 274.