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Jewish history. Guido Kisch. 1941.

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Part I
The Prussian State and the Jews.
Chapter 4.

The Jews and the State of the Great Elector.

1. The Expulsion of the Jews from Vienna in 1670 and its consequences.

Significance of the acceptance of the exiled Viennese families in Berlin and the March of Brandenburg.

- a) The medieval status of the Jews: Serfdom of the Treasury ("servi camerae," "Kammerknechtschaft".)
- b) The change from medieval to modern views of politics and economics result in a change to a new attitude towards the Jews.
- c) The new idea: Usefulness of the Jews for the State.

2. The Jewish Edict issued by the Elector Frederick William at Potsdam, May 21,

1671. 50 Jewish families permitted to settle for 20 years. Contents of the Edict, that made it the duty of the local authorities, "freely and openly to receive this protected Jewry, to show them every courtesy and good will for their accommodation, and to extend to them, in our name, all proper protection...to let no one insult or molest them, and to consider them like any other citizen or resident, to treat them well according to the contents of this our letter of protection, as well as to assign to them without delay, for a small compensation, a place where they might bury their dead." An annual protection tax of 8 Reichstaler for each family. Supplement to the Edict.

*Magna carta
to Jews
of Germany.
religious
services
allowed*

3. The motives for the Great Elector's Jewish Policy.

- a) Religious tolerance played a minor role.
- b) Conception of separation of religion and politics.
- c) A new economic policy in order to improve the land impoverished and pauperized through the 30 Year's War.
- d) The example of Holland with its flourishing economic life partly due to the commercial activities of Sephardic Jews.
- e) The resourceful and forwardlooking trends of Jewish trade methods.
- f) The ambition for internal growth and international power of the Prussian State.
- g) The taxation of the Jews, free from every interference of the Estates.
- h) Reasons of policy of population.

*Any Jew would
leave after payment
of 2-yr. protection*

*1 gold
dollar
marriage tax
1 golden
guilder = 5*

4. Effects of the new Prussian Jewish policy on the non-Jewish environment.

The important factors: a) religious difference; b) difference in the business methods resulted in an anti-Jewish attitude of the corporate bodies in various towns and provinces. The Great Elector's reaction to anti-Jewish petitions varies.

*all (practical)
(no other way) of
judges etc.
indiv. responsibility
Jews, who
traded - brought
goods to country
builds trust to
prudent status quo*

5. Administration and religious life of the Jewish Communities.

*autonomous -
5 Prussian cities
elected every 3 years
Rabbi had power of
discipline*

*Berlin had 30
members in
1700 with 2
synagogues*

References:

- S. Dubnow: Weltgeschichte des juedischen Volkes, Vol. VII, Berlin '30 Chap. 35(304)
Margolis-Marx: A Hist. of the Jew. People 1934, pp. 589-592.
Bibliog. in Baron: Soc. & Relig. Hist. of Jews., '37 Vol. III P. 147 note 22.

Chapter 5

The Prussian State and the Jews in the 18th Century.

I. The foundations of the Jewish policy of the Prussian kings.

1. Frederick III (1688-1713); after 1701, King Frederick I.

- a) The Jewish policy of the Great Elector based on a military and and bureaucratic state founded on free trade and early capitalism inimical to the Estates not changed during the early years of Frederick III.
- b) More Jews permitted to settle especially in Koenigsberg, Stargard and Halle in connection with the planned commercial economy of the government.
- c) Whereas the main motives of the Great Elector's Jewish policy were commercial in nature, under his successor the centre of the Prussian Jewish policy was financial in nature. It resulted in a closer integration of the Jews with the state.
- d) The removal of Eberhard von Danckelmann changed the course of the State's Jewish policy in a way unfavorable to the Jews.
- e) New taxations; constant surveillance and control over the Jews. The "Judenkommission."
- f) The view gains currency that the Jews are not really useful to the land.
- g) Prohibition of Jewish immigration, limitations placed upon their sources of income.

2. King Frederick William I (1713-1740).

- a) The rising "Enlightenment" ("Aufklaerung"). *mercantilist, absolutism, law of common sense replaces divine concepts of feudalism*
- b) The "Natural Law", the idea which transformed the national, *Age of Reason* legal and political life. Hugo Grotius.
- c) The University of Halle, a centre of progressive ideas and

Chapter 5 (cont'd)

1698
center vs. superstition intolerance
and teachings. Christian Thomasius, Christian Wolff. *reformers against Chm. humanists*

*In spite of all this
nationalism
was signed.*

- d) Much wavering in the Prussian Jewish policy due to the personality of the King who hated the Jews: "The Jews must die out."

*no new
admission,
no protection*

3. King Frederick II, The Great (1740-1786).

- a) He was a confirmed anti-Semite both in his thoughts and in his actions, since he was persuaded that the Jews were economically harmful.
- b) The aim of this Jewish policy: 1) reduction of their number; 2) increase of their burdens, in order to limit their presumed harmfulness.

References:

Selma Stern: Der Preussische Staat und die Juden

Part I, Berlin 1925, Chapter VI: Die Judenpolitik Friedrichs I;

Chapter VII: Die Judenkommission.

Ismar Freund: Die Emanzipation der Juden in Preussen, Vol. I, Berlin 1912,

Chapter I, pp. 7-15.

Simon Dubnow: Welgeschichte des juedischen Volkes, Vol. VII Berlin 1930,

Chap. 35, pp 292-304

Margolis and Marx: A History of the Jewish People, 1934 pp589-592

II. THE LEGAL POSITION OF THE JEWS ACCORDING TO THE PRUSSIAN JEWISH REGULATIONS OF 1714, 1730, 1750.

- A) The Ratification Edict of May 20, 1714;
- B) The General Regulation of September 29, 1730;
- C) The General Regulation of April 17, 1750.

1. THE LEGAL ARRANGEMENTS FOR THE JEWS WITHIN THE STATE.

- up to 1714 loose connections with the State*
- a) At first letters of protection were extended to individuals or individual Jewish families only.
 - b) There was no definitely established governmental organization for the Jews. They were subjected to the Privy Council, later to the Jewish Commission ("Judenkommission").
 - c) In 1723 the King created a unified central bureau the "General-Oberfinanz-, Kriegs- und Domänen-Directorium", called the "General-Directorate", which was to control the entire internal administration of the land including Jewish affairs.
 - d) The Jewry-Privilege of 1730 was meant for all the Jews of all Prussian provinces and lands, and not-as until now- granted to individual communities as a separate regulation. To the Jews this meant a definite break with the mediaeval concept.
 - e) From now on the State gave up its mediaeval relationship with the Jews: they were to live not according to the Law of the Prince but according to the Law of the State. They came directly under the control of the State.

2. RESTRICTION OF THE JEWISH POPULATION.

- Fried will I*
- a) In 1671 the number of Jews to be admitted was limited to 50 families. No other limitations.
 - b) In 1714 the "protected" Jews only ("vergleitete" Juden) were to be protected, all others were not to be tolerated. Every "protected" Jew only was permitted to include ("ansetzen") three children on his protection decree-under certain conditions. *Introduction of limitations, in no protection, children*
 - c) In 1730 the General Privilege established the number of protected Jewish families in Berlin at 100. Those above that number were to be permitted "to die out". Further restrictions concerning the number of children. *each kid 1000 thaler - infant - 500 "thaler"*
 - d) In 1750 the General Privilege adopted the restriction of settlement to one child, and distinguished between two classes of protected Jews: 1. The ordinary, 2. the extraordinary. Only the ordinary protected Jews-in a limited number-were allowed to transmit their protection letter; the extraordinary were to be protected in their own persons only, their privileges were to die with them, and, therefore, of an unlimited number. Restrictions concerning the number of children. *privileged - unrestricted as to trade, residence, children - professional men - doctors*
- Fried one Great*

3. RESTRICTIONS ON JEWISH OCCUPATIONS

- old guilds still kept Jews out*
- A) Jews were excluded from every public office, from public teaching, from the practice of surgery and public medicine, from all craftsman work.
 - b) According to the General Privilege of 1750 they were permitted to: *for state Dept* "make seals, to paint, to grind optical lenses and diamonds, to polish stones, to embroider in gold and silver, to sew white goods, to

all these things were not in the province of the guilds.

No barber shop, brewery, agriculture.

gather metal sweepings, and such other trades, of which there is no occupational organization or privileged guild."

- c) Even in commercial life, they were subjected to a great variety of restrictions. *which had been declared Jews an domain in Edict of 1671. 1714 ratified this, excepting for law to own property.*
- d) In 1717 a royal decree ordered to close all stores not opened in 1693, and limited the owners of such stores to trade only in old clothes.
- e) In 1730 the distinction was introduced between protected Jews possessing a particular concession, and such as had as yet acquired no concession, *limited to 1st second-hand objects.*
- f) In 1750 further restrictions. The Jews were pushed back upon money transactions, *prohibited especially trade in products of soil.*

4. INCREASES IN THE FINANCIAL SERVICE RENDERED BY THE JEWS TO THE STATE.

- a) The annual tax ("Schutzgeld") increased. *Edict of 1711 fixed that at 8 Thaler*
- b) Additional Jewish taxes:
1. The Soldier Tax (Rekrutengeld); *- 1734 as contribution to maintenance of guard of Fred II - 4800 Thaler*
 2. The Silver Offering; *- 1746 12000 when made (12 Thaler per mark) to treasury - reason for the contribution*
 3. Child Money (Kindergeld); *- 1746 12000 when made (12 Thaler per mark) to treasury - reason for the contribution*
 4. Wedding money ("Trauscheingelder"); *- 1746 12000 when made (12 Thaler per mark) to treasury - reason for the contribution*
 5. Calendar money ("Kalendergelder"); *- 1746 12000 when made (12 Thaler per mark) to treasury - reason for the contribution*
 6. Jewish Porcelain Tax (Judenporzellan); *- 1746 12000 when made (12 Thaler per mark) to treasury - reason for the contribution*
 7. Body Tax ("Leitzoll"); *- 1746 12000 when made (12 Thaler per mark) to treasury - reason for the contribution*
- c) In 1728 a separate Treasury has been set up in Berlin for the payment of Jewish taxes. *No Jew should pay to provincial treasuries. Each Jew shall be responsible for all and all for each.*

5. THE POLITICAL AND LEGAL STATUS OF THE JEWS.

- a) The most important factor in the development is the financial interest of the State in the Jews.
- b) The original purely religious organization of the Jews became a religious-political organization with the obligation of raising the full sum of the protection payments.
- c) United Jewry becomes responsible for the actions of every individual Jew.
- d) Increasing influence of the State on internal Jewish affairs.
- e) Retrospective and concluding remarks. *1671 - first + most favorable law 1714 - retreat 1730 - deterioration 1750 - pushed down completely*

III. SURVEY OF THE LEGAL POSITION OF THE JEWS IN THE OTHER GERMAN STATES.

- a) Saxony: Jews only in Dresden and Leipzig, in limited numbers and under burdensome conditions.
- b) Bavaria: Communities only in few places; in many places residence forbidden to Jews.
- c) Frankfurt am Main: One of the biggest Jewish communities. The mediaeval ghetto regime still flourished. No Jew permitted to live outside the ghetto. It is called "the new Egypt".
- d) Hamburg: Numerous branches of trade and industry inaccessible to Jews, acquisition of real property forbidden.

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B. GENERAL WORKS :

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D. CONTEMPORARY SOURCES:

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The Jewry-Edict issued by the Great Elector May 21, 1671.

We, Frederick William, by the grace of God, Margrave of Brandenburg, Arch-chamberlain of the Holy Roman Empire, and Elector, etc., hereby publicly acknowledge and graciously notify all whom it may concern that we hereby act on the following conditions influenced by extraordinary reasons and on the ground of the humblest application filed by Hirschel Lazarus, Benedict Veit, and Abraham Riess, Jews. For the advancement of traffic and trade we have been induced to accept and receive graciously a few Jewish families leaving other places, especially fifty of them, and to grant them special protection in our lands of the Electorate and Margraviate Brandenburg.

1. We wish to admit into the above mentioned Electorate and Margraviate Brandenburg, also into our Duchy Krossen and into the incorporate lands the mentioned fifty Jewish families whose names and number, also the place where each settled should be made known to us by means of a proper specification as soon as possible. The right shall be granted to them to settle in those places and cities where it is most convenient for them, to rent, purchase, or build rooms, complete homes, apartments and closets. But what the Jews acquire by purchase, should by rebought and what they build must, after the elapse of a certain number of years, revert to the Gentiles. The cost, however, must be restored to the Jews.

2. These Jewish families be granted the right to pursue trade and traffic throughout the whole land of the Electorate and Margraviate Brandenburg, the Duchy of Krossen and incorporate places, in accordance with our Edict. They are specifically granted the right to possess public stores and shops, to sell shawls, and similar articles, dry goods to be sold piecemeal or per yard. Also permission be given to them to possess large and small weights; yet no profit be made through their use in the course of buying or selling; nor should the magistrate's official weight be damaged. They may deal with new and old clothing. Furthermore, they should slaughter in their own homes, and whatever is not needed, or allowed according to their law be sold. Finally, they be permitted to acquire their subsistence, especially by trading with wool and groceries, just like the other inhabitants of these lands wherever they live or elsewhere, they be also permitted to offer for sale their goods at weekly and annual fairs.

3. They should conduct their business in accordance with our edicts, and those provisions of the Reich's regulations which concern themselves with the Jews. Accordingly they should refrain, as much as ever possible from carrying on illegitimate business, especially should they be cautious with respect to stolen goods. They should in the course of business refrain from perpetrating injustice on this land's population or anybody else. They must not defraud or harm them intentionally. They should not practise usury with their money, rather should they remain satisfied with that rate of interest granted by us to the Jews of Halberstadt.

With reference to stolen goods bought by them the laws valid in Halberstadt should also apply to them.

4. The duties as well as the excise and the double "Metze" (for war purposes) be paid by the Jews as it is paid by the other subjects, without any fraud; but the body-tax, which the traveling Jews had to pay formerly, will be removed since they are settled in our land. No other Jews, however, not included in their number may pass freely by virtue of this. Every family be required to pay eight Reichstaler as protection tax, and every Jew who marries must pay a golden Gulden without any reduction, just as the Jews of Halberstadt do. With reference to the other taxes of the land they must act only in accordance with the agreement reached with each local Magistrate; in case such agreement is not reached, they should apply to us, and proper action will be taken by us in the matter.

5. Although we have taken the oft-mentioned fifty families under our special protection still they should not be immune in civil matters from the jurisdiction of the local mayor in power, to whom this jurisdiction is granted without the advice of the rest of the Councilmen. There they are expected to submit to legal judgment. If anyone, however, wishes to lodge a complaint against a Jew it must always be filed in writing. Should a criminal case occur, such matters must be brought to our personal attention, which should be respected by the local magistrates everywhere.

6. They should not be permitted to possess a synagogue, but they may congregate in one of their houses in order to offer their prayers and conduct their ceremonies without provoking the Gentiles. Especially must they refrain from blasphemy and slander at the pain of rigid punishment. Furthermore, they should be granted the right to have a slaughterer and a teacher so that their children may be instructed, their privilege must be similar to that enjoyed by the Jews of Halberstadt.

7. Moreover, they must conduct themselves everywhere, honorable, peacefully, and in accordance with their privileges. Above all they must be cautious against exporting out of our land the good species of money and against importing the unfit ones; no less should they exercise care not to transfer gold and silver coinage to other places, but they must sell them in accordance with the value of our mint. Should anybody offer for sale to the Jews some of our stolen silver, or should they learn where such may be found, they must be held responsible to report not only the silver but also the persons who are trying to gain through such selling.

8. Every local magistrate of our March of Brandenburg, Duch of Krossen and its incorporate lands, wherever some of the oft-mentioned fifty Jewish families intend to settle, are ordered very earnestly not only to receive this protected Jewry willingly, to manifest to them every courtesy and good will for their accommodation and to extend to them, in our name, all proper protection, but they should also afford

5
them the treatment that is due to them by virtue of their stay in our land, to let no one insult or molest them and to consider them like any other citizen or resident, and to treat them well according to the contents of our letter of protection, as well as to assign to them without delay, for a small compensation, a place where they might bury their dead.

9. To the extent that the above mentioned Jews will act in accordance with the responsibilities placed upon them, and with their promises, do we wish to grant them, from to date for the next twenty years, our most gracious protection in our lands. We also wish to assure them the continuation of such protection by us and our successors even after the twenty years will have elapsed, if warranted by circumstances; however reserving the prerogative of refusing the continuation of our protection even before the elapse of the twenty years if, after our consideration, we shall find it necessary to do so.

10. Should war break out in our country, in the course of the next twenty years, God forbid, the aforementioned Jews, like other of our subjects, be permitted to flee to our fortifications, there they should be admitted and tolerated.

In pursuance thereof we order all our subjects, and officials of all ranks, to grant the aforementioned Jews from date for the next twenty years free and safe passage throughout our entire Electorate and the mentioned lands. They should be permitted to attend the public annual fairs, warehouses, and commercial places, they also be given the right to offer for sale all of their merchandise publicly, they should be granted the privilege of pursuing freely legitimate trade. It is forbidden to attack the Jews. Should the Jews apply for help to any magistrate and court judiciary they should render them assistance, according to this privilege, in keeping with the demands of hospitality, in order not to fall into disgrace with us and to avoid a fine of fifty gold Gulden or even a higher sum if circumstances make it necessary.

In witness thereof, this privilege and letter of protection was signed personally by us, and it was confirmed by our seal.

Potsdam, the 21st of May, 1671.

Friedrich Wilhelm

PART II.

THE JEWS OF AUSTRIA

Chapter 6.

The Condition of the Jews in Austria from the Expulsion from Vienna (1670) to the Death of Maria Theresa (1780).

- I. The Expulsion of the Jews from Vienna in 1670 under Kaiser Leopold I (1657-1705).
 - a. The intellectual originators of the event are the tireless agitator Bishop Kollonitch and the Viennese burghers. Religious fanaticism the ultimate motive for the expulsion, besides business competition and envy of the burghers, perhaps also the influence of the Empress, a Spanish princess.
 - b. Contemporary Christian historiographers lay stress upon the fact that the abandonment of Judaism was not even considered by the Jews.
 - c. The consequences of the expulsion:
 1. Jewish Settlements in various foreign countries;
 2. Economic consequences;
 3. Readmission of the Jews considered, but these plans were dropped soon;
 4. Individuals only were permitted to resettle. In 1753 about 700 Jews lived in Vienna.

II. The Age of the Austrian Court-Jews ("Hofjuden").

1. The Court Jews.
 - a. The institution and its economic problem.
 - b. Development of Absolutism in Austria.
 - c. Early Capitalism as represented by the Court Jews anticipates the future economic development to the liberalism of the 19th century.
 - d. From the viewpoint of inner Jewish development the Court Jews are the precursors of Emancipation.

2. Samuel Oppenheimer.

1630
1672

d. 1703

first in Herkellay
relations with imperial court (Prince Eugene)
primarily army contractor
developed credit system, on basis of available cash
fortune liquidated

Business and finance genius and speculator, army contractor, court surveyor and banker. He successfully anticipated the economic development by many decades. Comparison with the most tragic figure of his relative Joseph Suess Oppenheimer " (Jud Suess).

W. refined, in contrast to glossiness of O.

3. Samson Wertheimer. 1684 settled in Vienna

A counter-example to Oppenheimer. His chief activity only as *Salt monopolist* a banker and money agent, not as army contractor. He succeeded Oppenheimer as "Hofaktor" (court-surveyor). But another type who separated his intellectual interests from those of the pure money business, as much a scholar as a merchant. A "shtetl" *honorary rabbi of Hungary.*

Reached height of wealth in 1708 and liquidated it refined. Son Wolf continued business.

in the best sense of this expression he obtained from the Emperor the confiscation of Eisenmenger's book "Entdecktes Judentum" (Judaism Uncovered) and promoted the edition of the Babylonian Talmud which appeared in Frankfurtum Main and became the basis for almost all later editions. *Provided for care of 50 scholars in his will.*

4. Other Austrian Court Jews and their activities.

5. Conclusion.

After 1670 the political status of the Jews in Austria was most unfavorable, the re-establishment of a community in Vienna remained denied to them.

1700-1706 loans of Court Jews to govt. amounted to 60 m. florins 1/5 of entire state revenues

III. The Jewish Policy of Kaiser Karl VI. (1711-1740) and of Maria Theresa ^{his daughter} (1740-1780).

1. The Jewish Policy during the second part of the reign of Leopold I and Joseph I. (1705-1711).

- The strong anti-Jewish regime influenced both by the middle class and the Church had the aim to limit the number of Jews and to remove those not being taxpayers.
- The financial service rendered by the Jews to the State.
- Unsuccessful endeavors to expel the Jews from Vienna.

2. Kaiser Karl's VI Jewish Policy.

- a. No change in the fundamental official attitude towards the Jews.
- b. Only a few, according to the plan of a Jewry-Regulation of 1715, only a few capitalists and money negotiators were to be admitted, the formation of a community is refused.
- c. Many restrictions of various kinds in the Jewry-Edicts of 1718, 1721 and 1723.
- d. In 1718 the peace of Passarowitz guaranteed the Turkish Jews free residence in Vienna. Since 1736 they possessed both a community and a synagogue.

3. Maria Theresia and the Jews.

- a. In general, continuation of the Jewish policy backed by the heartless cruelty of the Empress against everything that was not Catholic.
- b. The special development in Bohemia, with a Jewish populace of over 14,000 in Prague only, resulted in the expulsion in 1745.
- c. Jewry Regulations of 1760 and 1764 brought new repressions concerning the social and economic position of the Jews in Austria.

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Ziskind
v. Tschirsky

Reason given for
expulsion was
that Jews were expected
to be reasonable vs.
Austria. But this
was not the real reason.

Give devil
her due, however
she was more the
father of Joseph II
than daughter of
Karl VI in regard
to general en-
lightenment, aside
from Jewish question

Bohemia
Based

Chapter 7.

The Jewish Policy and Legislation of Toleration of Kaiser Joseph II (1780-1790).

I. Kaiser Josephs conceptions and plans concerning the Jewish Policy,

- a. His desire of educating the Jews to become useful citizens. In opposition to Frederick the Great's assertion that the Jews are incorrigible.
- b. The Toleration Edict did not aim at the benefiting the Jews, nor at establishing equal rights for all, but rather at making the Jews useful for the purposes of the state, especially for its economic interests.

II. Attitude of the Austrian Hofkanzlei and Staatsrat.

- a. The considerations and deliberations which preceded the Edict are related in spirit to Christian William von Dohm's classical formulation of the philosophical program of Enlightenment (Dohm: "The Civil Improvement of the Jews," 1781).
- b. But the necessity of slow and careful procedure concerning the reception of the Jews into the state is stressed.
- c. Privy Councillor Greiner an open protector of the Jews pleads in favor of a reception of the Jews under adequate restrictions instead of granting merely toleration.

III. The Toleration Edict ("Toleranzpatent") issued on May 13th, 1781 through the letter of Joseph II concerning the improvement of the condition of the Jews.

1. The Kaiser's decisive resolution of October 1, 1781 began with the solemn declaration that the Emperors by no means intended "to spread the Jewish nation further in the Kaiser's patrimonial dominions or to introduce it anew where it is not tolerated but to make it advantageous to the state only there where it already is and in the same measure as it is already tolerated."
2. Contents of the Toleration Edict (Toleranzpatent).
 - a. The first part deals with the education of the Jews, with their inclusion in the surrounding cultural world, with the setting aside of their "national language" except in divine worship. After a period of two or three years all legal documents should become valid only if they were written in the language customary in the various lands ("in der gerichtsuoblichen Sprache jeden Landes.").

Enlightened Absolutism of Jose II
Despotism absolute of Frederick

Concept of welfare state -
rules must not be bound. Tolerant
combine authoritarianism with
discretionary
Josephism - imperialistic, shared
in discrediting of Poland, etc.
made German spirit long as 13 districts
Confessed with church - wanted
"National Church" - this is to educate priests
and regulate finances of church - private law to
be subordinate to state law - religion judged
by civil authority - if it contributes to welfare, it's OK.
General enlightenment - fruit
of not - Kaput. - etc. Struggle vs. self
schools, hospitals - etc. reforms very radical, but
without permanent results.

Barons
Article - Gregor von Sierach - June 1928
Memoirs Journal - Glete + Grom
Some reading on French Revolution
V. 11 - 429-473
Grote - 474-509

very liberal

Schools for Jews are to be established; where it is not possible, Jewish children are to attend Christian schools. Admission of the Jews to the high schools and the universities will be granted; moreover, Jewish printing presses will be granted.

- c. The second part refers to the increase and expansion of the means of making a livelihood in order to lead the Jews away "from the usury so characteristic of them and from deceitful trade." Besides, the removal of all those "humiliating and spirit-suppressing compulsory laws" is ordered which compelled a difference in dress and costume and special external marks upon the Jews. *yellow cloak & head*

3. The Toleration Edicts adapted to the special conditions in the various Habsburg lands.

IV. The legal and social significance of the Toleration Edict.

Toleration Edict was 10 years before French Revolution and only 1 year after Maria Theresa

did remove autonomous features of Jewish life, however

- a. Kaiser Joseph II abolished all the humiliating and vexatious regulations imposed upon the Jews.
- b. In spite of this, a complete equalization of the Jews with the other subjects was not Joseph's intention. - simply to make them useful to the state. - "welfare state"
- c. The Toleration Edict however, did mean a fundamental improvement of the legal condition and particularly of the social position of the Jews as opposed to the conditions under which they had power to live up to that time.
- d. The condition of the Jews in Austria especially in Vienna became more favorable than in most of the other states. Therefore, the exultation can be understood with which the Jews greeted the Edict of Toleration.

V. The close of the Josephinian era.

- a. Kaiser Joseph's died on the 20th of February, 1790.
- b. Already in March, 1790, the municipal council of Vienna demanded nothing less than the abrogation of the Toleration Edict and the return to the Jewry--Regulation of 1764.
- c. Revival of the body tax in another form.
- d. A "Jewish Department" ("Judenamt") was established.
- e. Simultaneously, "representatives" of the Viennese Jews were appointed.
- f. The Jewish policy under Joseph's successors to the

Every aspect of Jewish life regulated - all sorts of laws. Arrangement of fixed family names and German first names - list published Jan 1, 1784

Austrian throne, Leopold II (1790-1792) and Francis I (1792-1835) had a tendency toward a decrease in the number of Jews in Austria, toward a curbing of the privileges granted by their predecessor, and toward an endeavor to prevent the further assimilation of the Jews to the Christian population.

VI. Historical conclusions.

What did Kaiser Joseph's reforms mean to the advantage and disadvantage of the Jews?

a. Dubnow's viewpoint. Dubnow glides from the role of a historian into that of a modern politician.

b. Evaluation of an historical viewpoint as objective as possible. Obviously true, that Joe did have good intentions.

In Galicia, Jews refused to accept reform of Joe. because it meant sacrifice in return for civil equality.

In Austria, Jews were assimilationist.

In Bohemia Moravia - half and half attitude

REFERENCES

See the References given above on page 10, at the end of chapter 6.

Max Greenwald: Vienna, Philadelphia 1936, pp. 145-189

Ludwig Singer: Zur Geschichte der Toleranzpatente in den Sudetenländern, in Jahrbuch der Gesellschaft für Geschichte der Juden in der Tschechoslovakischen Republik, Vol. V, Prague 1933.

Guido Kisch: Die Prager Universität und die Juden. Mähr Ostrav 1935, pp. 47-60.

The Edict of Toleration is printed in Przibram: Urkunden und Akten Zur Geschichte der Juden in Wien I, pp. 440-442.

He considers Joe's reforms from point of view of present effect on Jewish life. He feels "toleration" had deleterious effects on Jewish consciousness. "Dangerous infringement on freedom of inner life of Jewish masses" - in calling Jews to military service, to public schools. Govt did not conceal ultimate purpose - destruction of Jewish character.

Jews had to give up in Vienna:
1) Hebrew
2) Jewish subjects
3) community life (specific laws for Jewish marriage, idea was to abolish it)
2 Poland Jews had full autonomous life (Council of Jews)
This is dilemma of how to adjust Jewish life with outside world.

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Chapter 7 a.

Moses Mendelssohn and the Jewish
Cultural Life in his Time.

References:

H. Graetz: History of the Jews V, Chap. VIII
and X, pp. 291-373, 395-428.
Baron: II, pp. 212-218; 224-229.

Part II.

Legal and Social Position of the Jews in the
Era of the First Emancipation (1789 - 1815).

Chapter 8.

The Emancipation of the Jews in France by the
Revolution, and during the Empire.

I. Survey of the Situation of the Jews in
France before the Revolution.

- a. Banishment of the Jews from France since the "irrevocable" expulsion decree of 1394, extended to the Provence in 1500 and to Dauphiny in the 16th century.
- b. Settlements of Spanish Jews in the South of France with the centre in Bordeaux and Marseillo. In the 18th century there were about 2,000 Jews in Bordeaux.
- c. Another Jewish centre in the Papal dominions of Avignon and in the Earldom of Venaissin.
- d. Most of the French Jews lived in Alsace-Lorraine, German, "Ashkenazic" Jews, about 6,000. According to the census of 1784, 19,500 Jews lived in Alsace.
- e. Before the Revolution the Jewish population in France amounted to about 50,000.
- f. The Jews of the eastern provinces had no rights and no protection; they were

only tolerated foreigners. They were subject to numerous trade restrictions and were mostly engaged in money dealing. The Jew-Hater Hell.

II. The Struggle for the Liberation of the Jews and the Proclamation of Emancipation.

- a. Public discussion of the Jewish Question in France since the eighties of the 18th century.
- b. Louis XVI prepared comprehensive organic laws for the Jews; but before the tasks proposed led to any results the Revolution broke out.
- c. General achievements of the Revolution, but of no influence on the Jewish status in the beginning.
- d. Protagonists of Jewish Emancipation: Conto Mirabeau's important work: "Upon Moses Mendelssohn and the Political Reform of the Jews." (1787). Its basic ideas and demand of complete equality of the Jews with the citizens of the state.
- e. The prize-contest of the Royal Society of Science and Arts in Metz for the best essay in answer to the question: Are there means to make the Jews happier and more useful in France? The prize-winners: Thiery, member of parliament, Abbe Henri Gregoire, Salikind Hurwitz. Gregoire's essay: "Concerning the Physical, Moral, and Political Regeneration of the Jews," published in 1789 had the greatest effect.
- f. Jewish efforts to call a conference of delegates from the Jewish communities. But a universal anti-Jewish tendency came to light in the National Assembly (Reubell of Colmar, Abbe Maury). Clermont-Tonnerre, Abbe Gregoire, Berr. Raband Saint Etienne, Berr. Clermont-Tonnerre: "To the Jews as a nation every right should be denied, but to the Jews as human beings every right must be granted. It is necessary that they become citizens." Abbe Maury: "... May the Jews take a share of this protection as human beings, and not as Frenchmen, for they cannot be citizens of the state."

*Xians to be blamed for condition of Jews
up to Xians to reform that condition*

AMERICAN JEWISH
ARC

*Based on
Doherty's
ideology*

אשר

- g. The Constitution completed and endorsed by the King on the 14th of September, 1791.
- h. On the 28th of September, 1791, in accordance with Daport's proposition the National Assembly resolved upon the equality of the Jews in France with the following decree which was sanctioned by the King on the 13th of November, 1791: "In consideration of the fact that the suppositions which form the basis for the character of a French citizen and the enjoyment of the rights of an active citizen are established in the Constitution; that moreover everyone who complies with the conditions named who takes a citizen's oath and vows to fulfill the duties laid down by the Constitution has a right to all of these guaranteed liberties: The National Assembly annuls collective adjournment regulations, clauses, and decrees of exception with regard to the Jews found in decrees issued earlier. At the same time it resolves that the citizen's oath to be taken by the Jews is to be considered as the renunciation of all the earlier privileges and special laws applying to them."

The principle of complete equality of the Jews from the point of view of citizenship was now expressed for the first time. With this September 28th, 1791, begins a new era in the History of the Jews.

References:

Graetz V, Chapter XI, pp. 429-473.

Baron II, pp. 230-238.

Baron - Vol. II - 205-212

Graetz - Vol. I - ch. III 51-85

Sp. assign. - Graetz, I, 86-167 - immed. after Pesach

Graetz, I, 168-198

Grünwald - Vienna 88-165

J.E. - Banking, Finance

Baron II, 175-190

Ency. Jud. - Hoffjüden

Lowenthal - Jews of Germany 174-196

Baron - Ency. Soc. Science - Jewish Eman.

Memorial Journal - June 1928 - Ghetto + Eman.

Some Readings on French Revolution

Graetz - II, ch. p. II 429-473

ch. p. 12 474-509

Bibliography

Oct. 21

2. Graetz

approach to history is a specifically Jewish one. Accused of writing a history of lamentations & sufferings. Two trends: description of political fate (centering around persecutions); description of poetry & literature (in which these persecutions are mirrored). This is "lachrymose conception of history" and does not give true ^{only} picture. When reading Graetz this fact should be in mind. He also had certain personal biases and is sarcastic. But he is great - worked from original sources. Tinge of nationalism. Love of Palestine. [read Vol. III 593-613]

[Art. on Graetz by Ellbogen - J.Y.B. 41-2]

Oct. 27, '41

[Art. - Sephardim (Jewish Encyclopedia)]

Beauregard - (French Catholic) before Jost.

1. Isaac M. Jost

"History of Israelites from Macc. to Present Day" 9 Vol. - off. in Berlin 1820-28.

(Baron article on Jost in

Vol. I. P.A.A.J.R.)

Belongs to period of Emancipation I (wherein they rebelled vs. name Jew and called selves Israelites. Nazis revived term "Jew so-and-so.") His aim was didactic - wanted to present insufficiency of ancient Jewish life, and to emphasize benefits of modern education & development of Jews. Assimilation was his view - Jews were Frenchmen, Englishmen, etc. of Jewish persuasion.

3. Dubnow (Simon) - "World-History of Jewish People"
10-vol. written originally in Russian.
pub. orig. in German. Pub. in English
in 3 vol. (concepts). around time of W.W.I.

D. believes Jews are a people,
eternal + possession of its own world-
history. "J. people has at all times,
in all lands, always + everywhere
has been a subject - a creator of
its history not only in the spiritual
but also in the sphere of its social
life."

Autonomism in D. concept
doesn't imply return to Palestine. ~~believe~~ ^{believe} ~~view~~ ^{view} Jews as a modern nation + people.

But he overlooks the central
religiosity of the Jews.

World-history implies belief that
Jews all over the world are factors
in history. This would mean that
he would consider social, economic
other items. But D. doesn't consider
them either - thus not much im-
provement over Graetz.

4. Baron, Social + Religious History of Jews.
5. Waxman, Meyer, vol. II. - Hist. of Jew. lit. from time of
Bible to our day.

Oct. 28

5. M. Waxman - compiled material with great diligence. Deals only with literature, excluding political & economic aspects. Valuable because includes at least selections from other languages which are not entirely translated into English.

4. Baron - Three-vol. work minus 3rd vol, because it contains only notes & biblis. But last vol. extremely valuable. First two vols. not chronological. Vol. II - sec. 1, notes; sec. 2, bibliography according to authors (all books since 1930); sec. 3, index.

Encyclopedias

Periodicals

Monatschrift für Geschichte und Wissenschaft des Judentums. ed. Frankel. [discontinued only in 1938.]
preceded by Zeitschrift - edited by Zunz.

Revue des Etudes Juives [also discontinued in 1938]

Jewish Quarterly Review

Graetz⁴ - 334-381

4 - 613-630

4 - 382-421

4 - 529-592

Censorship of Jewish Books - J.E.

Nov. 25

Settlement in Turkey

About 100,000 Marranos emigrated to Turkey at beginning of 16th C. Some stopped in Italy on the way, but due to anti-attitude of Pope Paul IV, this was only temporary. 40,000 in Constantinople, 20,000 in Salonika, rest in other Balkan countries.

Through settlement of Corfu (under Venice) connection established between Turkey & Italy. Jews valuable as commercial mediators, especially in armaments. Sultans considered Jews as only politically trustworthy people - They were antagonistic to Christian powers. Jews had free religious life. This attracted even many Ashkenazim. In 15th C. 44 Synagogues. Highest peak middle of 16th C. Trade & money in Levant mostly in Jewish hands. But no Jewish unity - large no. of syn. shows small group clannishness. Fight over appointment of rabbi - Sephardim did not recognize Smicha of Ashkenazim. Elias Mizrahi was chief rabbi, possessed of extra-Judaic knowledge.

High intellectual level of Turkish Jewish shown by establishment of Hebrew & other printing presses.

Suleiman The Magnificent - Moses Hamon, The Sultan's doc. Very Jewish-helped scholars. Joseph Nasi.

- 1 How could he gain such power
- 2 What was the general background
- 3 How did he exercise his power

1. He was rich man at head of intl banking house, with connections throughout Europe.

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Page
Advocate
Advocate

2. And also he had the friendship of Selim II.
~~He~~ He played power politics.

Zionist Movement in 16th C.

pol. aspir. with messianic mysticism.

Asher Lemlein - first claimed to be precursor of Messiah
Vienna 1502.

both
fakers { Reubeni - left a diary, died in prison, banner.
Molcho - burned, martyr

Messianism in those days was due to ripeness
of times. People despaired and thus looked for salvation.

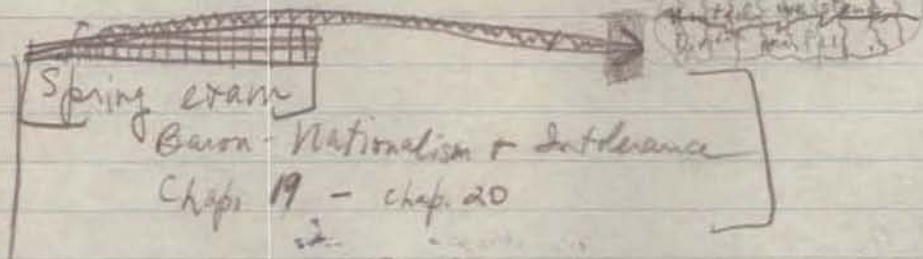
Azarich de Rossi } These guys got 30 days in
Ghetto Arca Modena } p77
Luther - They couldn't put him in p78.

Vol III - 334-649

Menachem Journal - Nationalism + Intolerance

JE - Cabala, Censorship of Jewish Books, Sephardim

A.T.Y.B. - Elbogen in Herz



In 17th Cent. after 30 years later, Europe
devastated - economy at low level - states took
over economic life - Kurfürst of Brandenburg
(later Prussia) tolerant, received Jews expelled from
Vienna in 1671. This was beginning of planned
settlement of Jews.

~~Soshul's modifications to Bacon's Theory~~

- ~~1. Imperialism - empires had to be more
prosperous if minorities in colonies. As
consequence of loosening up - they also became
favorable to Jews. Economic advantage to
include Jews.~~
- ~~2. Humanism, Liberalism, Reformation~~

The last expulsion from Regensburg,
1519 - Threw all Jews out of Europe. In
1671 They were called back to Brandenburg.
So also were the French Huguenots
allowed to settle in Essen.

Political atmosphere of time was absolutism
restored - gradually leading up to French Rev.
and emancipation.

Economically, capitalism was developing - Jews
were called back for a definite function - not
usury & money-lending of middle ages, but in an
age when credit was developing as the greatest
financial institution, Jews were pioneers in the
change from money to credit economy, as they were in
change from barter to money.

Large states grew out of cities & districts -
gradually petty Kingdoms were created. Examples
such as Holland etc. studied the envy of these
German states, who assigned economic jobs
to some Jews to raise level of state. They
were called in as port purveyors, importers &
exporters, bankers, doctors.

There were some called Court Jews who
enjoyed special position. Because Jews performed
functions for state - They were allowed to
congregate for worship etc. - and court Jews
formed new communities, in Berlin etc. This

gradually leads up to Emancipations - French & other.
With Spain. comes whole problem of the
change in Jewish life - outer assimilation
and inner adjustment.

Feb. 3

Jews in Germany were in condition of
chamber serfdom - tax-paying for protection, both
to Emperor and to petty nobility and to various
Town Councils who had power to tolerate Jews
or not.

In ¹³⁵⁶1463 Golden Bull of Charles IV, Emperor
gave up right to tax Jews in return for
toleration, but this power still remained in his
hands. If Town Councils got too tough, They
appealed to Emperor. If he got tough They
appealed to his rivals, The Territorial Rulers.

In 1413 Max. I was Emperor - his son
Charles V united Spain, Austria, Netherlands to
Germany. 1494 Nuremberg appealed for right to
banish Jews, 1499 last group of N. Jews left city.
Sought refuge in Frankfurt - all their property
confiscated - Emp. got 8000 florins. No Jews in N.
until 19th C. Also in Regensburg (old
Roman colony) Jews exiled, although expulsion
met with more difficulty (Max. refused appeal
from Town Council). Edict came in 1519.
Reason was jealousy of handicraftsmen and
Arian fanaticism.

Refugees allowed to take all movable
property. Syn. torn down. 500 families moved
across Danube into Bavaria.

Religious motives behind persecution as
well as economic motives. Desecration of host

responsible for expulsion from Mecklenburg.
(Story of rich Jew Chien.) No Jews till latter
19th C. In Brandenburg another accusation
of desecration, revealed by Melancthon who
accused govt of anti-Semitism.

Martin Luther & Jews.

Might have been expected that
Reformation would bring alleviation - to say
nothing of reverence for Hebrew Bible.

But Luther opposed the Dominicans
because they made Christianity horrible to the Jews.
Luther had missionary intention in his first
period 1513-23 and hence was friendly, tried
to entice Jews. Wrote pamphlet 1523 - "Jesus
was born a Jew." He turned vs. the Jew-haters,
spoke in rough language vs. the clerics. He urges
a more sensible treatment of Jews, so as not to
estrangle them, but to reduce them with love
into Christianity. Thus he had no broad love
of justice, but only had realistic view of winning
them over.

His goodwill changed to anger vs. These
obdurate, incorrigible people, as they continually
refused to convert. Thus it shows that he
never really was a friend. Secondly, he met
some Jews in Worms who tried to win him
to Judaism, and he had some unpleasant
experiences. First reason (failure to convert)
is more important.

In second half of his life he was
active Jew-hater. Joseph von Posheim, recognized
advocate of Jews, refused an audience by Luther.
In 1538 Luther published "Letter vs. Sabbath-observers."

and said Jews had tried to convert some Moravian Protestants to Judaism. Rabbin were the teachers of the Hebrew Bible to the Protestants - naturally there were Jewish interpretations - Luther was afraid of this. His hatred became morbid. Asked question whether Xians should tolerate a people condemned by Xian god?

In 1544 two more anti-Jewish pamphlets - "On the Jews & Their Lies" - "On the Holy Name." - repeats medieval charges - well-poisoning, miracle works by name of God, ritual murder, treason (by alliance with Turks) - He even found words of praise for Ferdinand the Catholic because he had expelled the Jews from Spain.

The Swiss reformers, however, complained about Luther's pamphlets - They are accused of having been written by a swineherd. (Butzer)

Jossel of Rothenburg wrote to Town Council of Strasbourg complaining about Luther's pamphlets - and his letter was read & discussed in Council. He had tremendous power & influence through his personality. The pamphlet was forbidden in Strasbourg. This type of Stadler, rich, powerful. like Wertheim & Oppenheimer, was successful.

Feb. 9

This is new type of Jewish representative - rich, powerful in external fields, using their influence to advantage of fellow-Jews

Under Charles V Jews made twice 1) because they had common enemy in Lutheranism 2) because he was burdened with war on all fronts. He continued system of chamber serfdom, allowing Jews to buy miserable rights at huge prices. He was less cruel than predecessor Max. I.

Rosheim born Alsace 1480 - first
brought rights in 1520 at coronation festivities.
In Peasants' War 1525 Rosheim deflected threat
of danger to Alsace from the mob. Called convention
in 1530 to improve business ethics of Jews and
good will in business relations with Christians; regulations
contra Jews evading their debts to Christians by emigrating,
contra accepting stolen goods as security, etc.
Rosheim read these before Reichstag, asked for
guarantees for Jews.

Antonius Magarita, baptised Jew, wrote pamphlet
to Reichstag denouncing Jews for sharp business
dealings. Disputation between Joscel and Antonius
arose, latter beaten.

Butzer, once the denouncer of Luther's
vulgaries, now appeared himself as advocate
of expelling Jews from Saxony & Hesse. Called for
prohibition of their rights even as credit dealers. He
suggested a new Egyptian enslavement. Joscel
also had disputation with Butzer.

Joscel wrote "Letter of Solace to his Brethren"
advising them to be prudent, not become involved
with Christians in religious arguments. (Referred to
Malachi 3, 6); not take excessive usury.

Charles V, 1546, granted Jews right to take
higher interest than Christians because they were most
heavily taxed in Empire. This is obvious result
of Joscel's influence. Interesting that Joscel
advised Jews to be careful about usury while
Emperor allows them usury.

Piren seip (non-Jew. historian) that Jews
were in minority in money-lending. Church also
was in this business.

In 1541 Josed had to exonerate Jews of ritual murder charge. Protestant Oslander defended Jews.

Jews taxed by Emperor, territorial rulers and municipal councils.

Frankfurt ghetto - 200 houses with 3000 people - first skenaps. Restricted trades.

Feb 16

Yiddish - written dialect out of Middle Ages German, mixture of both high & low. Even in 13th C. Yiddish trans. of some parts of Bible. 1549 Yiddish Bible. Also being book translated in same year. Good for women. Technism in 18th C. for women. Trans. of historical works of Herim de Pesi. Maaseh Buch, stories of martyrs in 18th C.

Holland - end of 16th C. liberated from Spain. In 1520 few Marranos at Antwerp. Charles V forbade ¹⁵⁵⁰ further immigration due to justification of Marranos. Part of Antwerp depopulated thereafter - Amsterdam grew.

At first Marranos suspected of being Catholics - later received well. Once again enemy of Catholics stirred up trouble again.

Grotius cited no. of Jewish families in Amsterdam no more than 300. He also speaks of Jews as a nation. Grotius was one of first ever to speak of Jews as a nation.

Kernel of modern idea Nation, is in groups of students at universities.

Feb 17

Nation refers to bishops in ^{Reform.} councils who gathered together according to common grounds. These councils at end of 16th C. after Hussite disturbances to put order in house of Papacy. The bishops voted together as nations.

Nation conceived as group coming from same country, speaking same language, having same religious or cultural interests. This becomes more current through 16th & 17th C. Jewish students admitted as groups by Emperor to study in general universities and called a nation, by the non-Jewish authorities. In Emancipation period 17th & 18th C. it becomes quite common to call Jews nation.

Feb 24

In Amsterdam, Jews not allowed in guilds or schools - but Jews on medical faculty of college of A. Only Jewish profession allowed to be practiced was medicine.

Segregation of Jewish community with Sephardim quickly learned Dutch. Jew. com. had large economic effect - raised Holland to world position. Jewish relations with Turkey facilitated spread of commerce to new markets. Banking & shipping operations mainly. Autonomous Jew. council headed by p'ossid and p'n'nn (rabbis). Saul Montefiore, Men-ben David, Isaac Abrahams popular preachers. Rabbinical council of these towns and Aethiopian were included.

R.V.R. painted rabbis & Jewish doctors. They were held in high esteem. Cf. German "brooderies" against Jews at same time (pamphlets of Ruchlin-Pfeffkorn dispute)

M. ben Israel 1604-57 - Marrano family from
Lisbon → Amsterdam. Acquired profane educ.,
good public preacher. Ran pub. press in A.
Friendly with R & R - served as his model. Corresponded
with Swedish Queen Christina. Urote - Spanish &
Latin - 4-vol. mystic work "The Conciliator", tries to
remove contradictions in text of Bible. Several books
on immortality in Latin, wherein he opposed heresy.
Wrote in spirit of Palestinian Cabalists. Best
known for readmission of Jews to England - persuaded
Oliver Cromwell.

AMERICAN JEWISH
ARCHIVES
Mar 10
Great Elector was Evangelical Christian -
helped Calvinists - due to humanitarian
convictions, also tolerant to Jews. But this
is only minor reason for his Edict of Potsdam
1671. He wanted economic upbuilding. Also he
wanted separation of church & state - hence admitted
Jews & Protestants. Mainly it was NEP after
30-years war.

Mar 16
New trade policy was attempt to break from
the narrow guild economy of Middle Ages, with its
carefully regulated laws of market days, separating
each city from each other, restricting free movement
of trade. Guilds had been organized for purposes of
crystallizing trade, but economic transformation demanded
by opening of colonies, new channels of trade, etc. slowly
acted to kill the guilds, which were too rigid and
conservative - no new blood & new ideas. Their point of
view was cliquish, Zunftgeist. Great Elector struck
consciously at guilds by allowing Jews into trade.

"Competition places commercial life on more healthy foundation." F.E. welcomed the strangers. He wanted esp. to do away with the medieval spirit. He wanted also to obtain territory for sake of power. Replaced mercenaries of 30 years war with large standing armies - backbone of later Prussian power. Pushed aside local authorities and centralized the authority. Esp. took power from the Estates.

Jews were important tools in all this.

- g) ① They were source of income, their taxation was a feudal right, given to territorial rulers by Golden Bull of Charles IV 1356. Now Elector wanted unique right for this taxation; took power away from Estates. It was really struggle between Estates + Elector on grand scale, not only relating to this source of income but to all matters of territorial or centralized authority.
- h) ② Jews were useful to help build the state, thru their economic ability. In order to erase the depopulation following the war there was encouragement of immigration in 17th C. "Productiveness of a land consists primarily in the number of its pop." - Leibnitz. Thus Elector admitted Jews also Huguenots, others, as matter of population policy.

Under successors of Elector this general state policy changed, to consider Jews not co-builders of State but only as source of wealth, and finally the Jews are blamed because all they do is try to come into a country and make money. Ironie.

good + bad
Jews get along in Brit Empire
Bismarck's Theory -

Nation + State identical - France

State of nationalities - U.S. Swiss, Austria-Hungary
National unit predominant in one state, smaller
groups present in other states. States including ref
parts of nationality - Nationalteil

Bismarck's modification. if one has colonies, law
changes. Nat'l state with colonies has to
become more tolerant in its colonies. But Spain
disproves this, says Kisch.

AMERICAN JEWISH
ARCHIVES



מזרחי
מזרחי
מזרחי

Baron - Ghetto and Emancipation Shall we Revise The Traditional View?

If The status of The Jew (his privileges, opportunities and actual life) in Those centuries (16th-18th were Jewish Middle Ages) was in fact not so low as we are in The habit of Thinking, Then The miracle of Emancipation was not so great as we supposed.

I. Equal Rights - Legally & Theoretically

- A. Did not exist for anyone in pre-Emancipation period except for nobility and clergy.
- B. Organization of absolute State into corporations:
 - 1.) Nobility - administration & defense
 - 2.) Clergy - spiritual & cultural affairs
 - 3.) Urban citizenry - maintenance of economic life & replenishment of State treasury.
 - 4.) Peasant body - complete serfdom.
- C. Jews belonged to #3, hence were part of privileged minority.
- D. Jews were serfs in public law, endured civil subjection (as most of mankind does even today) - but domestic slavery of peasants was much worse. Jews' status as servants of Emperor based on erroneous theory that Holy Roman Emperors were direct successors of Roman Emperors and thus inheritors of authority of Vespasian & Titus. Fiscus Judaicus replaced by Schutzgeld.
- E. Like other corporations Jews enjoyed full internal autonomy.
- G. Ghetto developed voluntarily as result of self-government - street of money

lenders like street of bakers, etc..
Only later public law interfered
and made it legal compulsion for all
Jews to live therein. Early ghettos had
locks inside before they were placed outside.

- H. Inquisition had no jurisdiction over
professing Jews, except for censorship of books.
Jews belonged to privileged, immune group.
Marranos were legal apostates - different
story.

II. Equal Rights - In practice

- A. Jewish population in pre-Emanc. centuries
increased more rapidly than Gentile.

1650 - 650,000 Jews : 100,000,000 Gentile
1900 - 8,500,000 " : 400,000,000 "

- B. Jewish losses from violence in
persecutions less than if they had been
subject to military service during 16-18th c.

- C. Economic situation - average Jewish
income surpassed average Gentile in
pre-Emanc. times. Restrictive legislation
proved beneficial. Placed Jews in position
of early capitalists. Even for Jews not as
bad as for peasants - former had
extensive relief agencies within Ghetto.

- D. No political rights, but except for
nobles and clergy, no one had.

III. Emancipation a Necessity + a Change

- A. Modern States could not endure a
medieval, autonomous, Jewish corporation
Had to give them equal rights and
force on them equal duties.

B. Political equality meant dissolution of autonomous communal organization. Also change of traditional ideology - Jewish religion was to be stripped of all nationalist elements for these were secular. Hence Jewish Reform was effort to reduce difference between Jew & Gentile to slight matter of used. Assimilation via Reform was The Jewish destiny as 19th C. Jew & non-Jew saw it.

C. Wissenschaft des Judentums emerged to help process of emancipation. Desiring extension of Jewish rights, they painted black picture of Jewish Middle Ages (16th-18th c.) - which was exaggerated historical picture.

D. Paradoxically, The Zionists also found their position supported if they held this black picture of Diaspora.

E. But this position changes - new tendency of nationalists toward romantic longing for ghetto life (Buber, Peretz, Berdichevsky); and new tendency of Reform toward acceptance of old Hebrew culture.

F. Clear that Emancipation has not brought Golden Age. Has meant reduction of evils but also loss of autonomy.

Autonomy as well as equality must be given its place in the modern State, and much time must pass before these two principles will be fully harmonized and balanced.