No book is written alone, and I am happy to have this opportunity to thank those who have facilitated my work. A book such as this depends on the scholarship of many other historians, whose names appear in the footnotes. I am grateful for their research even when I dissent from their conclusions. In the years that I have pursued the history of French Jewry, I have also benefited from the assistance of countless archivists and librarians in the United States, France, and Israel, who graciously assisted me in finding relevant information. In particular, the YIVO Institute for Jewish Research, the Library of the Jewish Theological Seminary of America, the Jewish Museum, the Central Archives for the History of the Jewish People, Jerusalem, and the French Embassy Press and Information Service made available their visual resources.

This book originated in David Sorkin's idea to create a series on the history of the Jews in different countries. Given the story that it relates, it is a fitting coincidence that the volume on the Jews of France is the first to appear in the series.

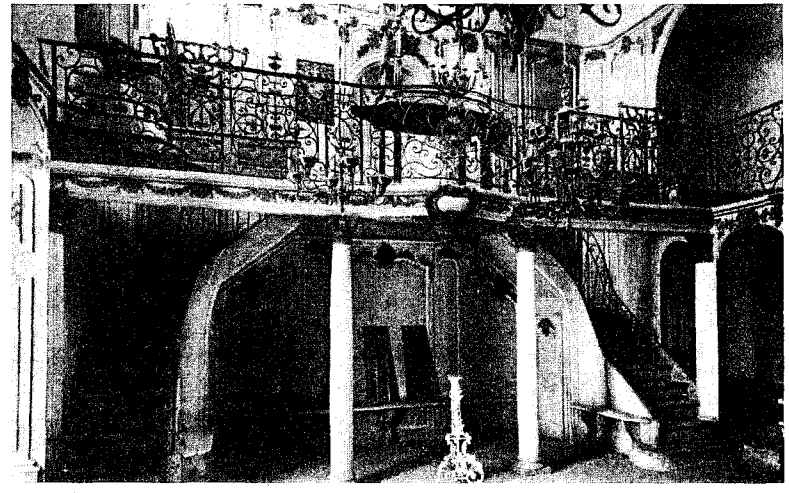
Three friends who are also colleagues took time from their busy schedules to read a draft of this book and offer suggestions that have been incorporated into its final version. My former student from whom I have learned so much, Vicki Caron, carefully read each chapter and drew upon her extraordinary expertise to catch errors and to challenge me to sharpen my arguments. Richard Cohen continued our two decades-long conversation on French Jewish history with his wise comments on my manuscript. And I cannot imagine completing a book without the benefit of the keen editorial eye of Deborah Dash Moore.

Finally, the University of California Press has given my work the careful attention that every author desires. It has been my good fortune to work with my editor, Stanley Holwitz, project editor Rachel Berchten, and copy editor Kathleen MacDougall, and it is my pleasure to thank them.

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CHAPTER ONE

Before the Revolution



Some forty thousand Jews lived within the borders of what would become the modern French state in the years immediately before the French Revolution, but there was no "French Jewish community." Instead, four very different settlements of Jews, with few contacts among them, made up the small Jewish population of France. With the exception of a tiny unauthorized settlement of several hundred Jews in Paris, all lived on the periphery of the kingdom: in the southwest, the southeast, and the northeast. Their separate geography reflected their disparate origins: the Sephardi culture of the Iberian peninsula; the Provençal communities of the papal states in France; and the traditional Ashkenazi world of central Europe. Irrespective of the origins of these communities, neither the authorities nor the local populace would have considered them French; indeed, few of these Jews would have deemed themselves so.

In the eighteenth century the Jews of France were preoccupied with matters other than their national identity. As heirs to the medieval legacy of Jews in Christian Europe, they were worried about maintaining their right of residency, an expensive privilege for which they paid each ruler dearly. Because of the division of sovereignty among the king and local seigneurs, Jews had to negotiate with many different authorities for that right. Jews were also eager to reduce their tax burden while expanding

their limited economic opportunities, yet they accepted the conditions under which Jews had lived throughout Europe since the Middle Ages. In return for a variety of fiscal payments, assessed upon the local Jewish community as a whole, Jews were permitted to reside in specific places and to engage in a limited number of commercial pursuits, especially moneylending and the sale of secondhand goods. Because they were generally not permitted to own land or to join artisan guilds, they filled a particular economic niche, differing substantially in socioeconomic terms from the Christian masses, who were overwhelmingly peasants.

As a tolerated alien group, Jews formed a separate corporation, or self-governing community, in a society in which membership in a social order determined individual status, whether nobility, clergy, or the commoner classes of urban bourgeoisie or rural peasantry. Belonging to the Jewish community was yet another form of social and legal identification, not exactly part of the general social order but parallel to it. The Jewish corporate community was entitled to maintain a range of religious and philanthropic institutions and to govern itself according to its own law (*halakha*) in all matters involving its members. Although they suffered societal antipathy, Jews were free to practice their Judaism, a relatively recent right in some parts of France. Despite their diverse origins and culture, in the eighteenth century the Jews of France all lived in one variation or another of this traditional *kahal* (community).[1]

The French crown valued most the Jewish merchants of the southwest, whose two major communities were located in Bordeaux and Saint-Esprit (a suburb of Bayonne). By the second half of the eighteenth century the dominant figures in these communities engaged successfully in international commerce that contributed to France's Atlantic trade. The Jews of Bordeaux and Bayonne enjoyed the most advantageous legal status and were the most acculturated of all of France's Jews in their dress, language, and general culture. Both these distinctions were due to their Marrano origins and their arrival in France under the guise of Portuguese merchants.[2]

The Marranos, or New Christians, were fifteenth-century Spanish and Portuguese Jewish converts to Christianity, many of whom retained a private identity as Jews and secretly practiced aspects of Judaism. Watched vigilantly and persecuted by the Inquisition in Spain and Portugal, they frequently left the Iberian Peninsula for less dangerous spots within Europe. Not all Marranos were actual Judaizers or eager to return to Judaism. However, even many sincere New Christians felt the need to emigrate since all Christians of Jewish origins were suspect in

the eyes of the Inquisition. Among the Marranos the Portuguese were the most likely to be secret Jews, for they were the descendants of the most loyal Jews of Spain. When King Ferdinand and Queen Isabella, in the throes of their conquest and unification of all of Spain, in 1492 had given Jews the choice between exile and apostasy, the greatest number of those who chose exile settled in neighboring Portugal. Five years later, ironically, they were forced to accept baptism, with no option for voluntary exile. The Marranos who formed the nucleus of France's Sephardi Jewish communities emigrated from Portugal and received commercial and residential rights initially as members of the "Portuguese Nation."[3]

The first Portuguese merchants arrived in Bordeaux in the early sixteenth century when, in the aftermath of war with England, the king of France was encouraging foreigners to settle in the depopulated city. In 1550 King Henry II officially recognized and endorsed their presence by issuing the first letters patent to the "merchants and other Portuguese called New Christians."[4] Renewed by successive monarchs, the letters patent did more than ensure the Sephardi Jews the right to reside and do business in France; they also provided the basis for the later Sephardi claim that their civic equality preceded the Revolution.

By the second half of the seventeenth century the Portuguese Marranos felt secure enough to cast off gradually the mask of their Catholicism. The acquisition of separate cemeteries for the group enabled them to take the first steps of emerging openly as Jews. Thus, in Bayonne, for example, the last entry of a Marrano's death in the local parish register and the first biblical name inscribed in a Hebraic transliteration on a tombstone in the cemetery allocated to the Portuguese merchants both occurred in 1659. Gradually, the Marranos ceased to mark all their rites of passage in the Church, and by the beginning of the eighteenth century they were generally recognized to be Jews. Indeed, in 1723 Louis XV renewed the privileges of the earlier letters patent, specifically acknowledging that the Portuguese merchants were actually Jews.[5]

Why did the Catholic kingdom of France, that had expelled its Jews in the fourteenth century and its Protestants less than forty years before the 1723 letters patent, agree to recognize the presence of Jews on French soil and confirm their rights to remain there and conduct their business? The answer lies primarily in their economic utility. Local Jewish merchants of the southwest provided an important credit function as bankers and brokers. The French state's growing willingness to privilege economic utility over religious conformity led to an appreciation of the Jewish contribution to a region then in straitened economic circumstances

but of considerable potential. Indeed, the lesson derived from the 1685 revocation of the Edict of Nantes was the heavy price that religious conflict exacted from the French economy. Royal acceptance of Jewish merchants because of their economic utility, as well as crucial support in Bordeaux of the local *parlement* (a court with jurisdiction over civil and criminal matters), thus enabled the "Portuguese merchants" to consolidate their privileges as Jews on French soil.[6]

In their transition from Portuguese to Jewish merchants, the Jews of Bordeaux and Saint-Esprit established the institutional structure that would govern their communities until the Revolution. The central communal body in Bordeaux, the most influential Sephardi settlement, was the *sedaca* (communal charitable fund), set up in 1699 to enable Jews to care for their own poor. The parallel organization in the larger community of Saint-Esprit, established somewhat earlier, was called the *hebera.* Although philanthropic in its origins, the *sedaca,* as well as the *hebera,* developed most of the characteristics of a full-fledged self-governing Jewish community. Dominated by an oligarchy of officials called syndics, the *sedaca* levied substantial taxes on its members, including direct levies and the traditional tax on kosher meat, and controlled entry into the community. Though there were no public synagogues, it provided for the religious needs of the Jews with prayer groups in private homes, a ritual bath (*mikveh*), ritually fit meat and *matzah,* primary schools, and cemeteries. Like all Jewish communities, particularly where Jews were a vulnerable minority without fixed rights, its wealthy leaders assumed the responsibility to bargain with the appropriate authorities to secure legal privileges. Unlike a typical premodern Jewish community, the Sephardi communities never acquired the right to judge cases involving Jews according to their own law. In the southwestern communities Jews took their civil cases to French courts.[7]

On the eve of the Revolution the Sephardi Jews of the southwest numbered about five thousand. Approximately two thousand Jews lived in relative security in Bordeaux and twenty-five hundred or so in somewhat less security in Saint-Esprit, with tens of Jews in smaller settlements in the region.[8] Although most Sephardim were small or middling merchants, the image of the community in its own eyes as well as in the mind of governmental officials was set by its most successful members, the 30 percent in banking and large-scale commerce, who served as its leaders. According to available documents, they seem to have earned the respect of the Gentile elite, who often attested to their honesty and probity. Moreover, at least one observer commented that at one Jewish wedding

"the majority of the guests were Christians of the best families."[9] Prosperous bankers and large-stakes players in trade with the New World, members of the Jewish upper classes seem to have had a more relaxed attitude toward strict religious observance than was the case among other Jews in France. They were also open to the secular culture around them and by the third quarter of the century had introduced French and arithmetic into their communal schools while excluding the study of Talmud. The Sephardim also boasted a number of intellectuals and professionals who had achieved respect in society at large, including physicians and a noted teacher of deaf-mutes. They were, in short, acculturated to the urban bourgeoisie among whom they lived.[10]

The Sephardim saw themselves as an acculturated elite among Jews, and certainly among the Jews living in France. In a document which they prepared in 1788 when the status of the Jews of the kingdom was under discussion in Paris, the Jews of Bordeaux made clear their claim to be distinguished from non-Sephardi Jews, and especially from the Ashkenazim of the northeast, because of their legal status, level of acculturation, and manner of living as Jews. Thus, the Bordeaux Jews contrasted themselves to good advantage with the Ashkenazim (whom they called Germans):

> The Germans almost everywhere have long beards; their dress distinguishes them everywhere they live; the Portuguese, on the other hand, except for their religious belief, differ in no respect from the peoples among whom they live; they adopt their manners and customs. A Portuguese Jew is English in England and French in France, but a German Jew is German everywhere with regard to his customs. . . .[11]

The Sephardim even attributed these differences to their noble lineage:

> The Spanish and Portuguese Jews are persuaded that they are the issue of the tribe of Judah; it is known that this tribe held the highest rank among the others . . . The idea [of being descended from Judah] . . . could only confer upon them that distinction and contribute to that elevation of sentiment that have been remarked in them and that their brethren of other nations seem to have recognized.[12]

Governmental officials confirmed the self-image of the Sephardi Jews. In 1781 in response to an inquiry from the Conseil d'État in Paris, then considering ways to diminish the Jewish population of the northeastern provinces, the intendant of the province of Guienne, the home of the Sephardi communities, wrote of the Jews in his district that "despite the reigning prejudice of long-standing, most pursue their business with probity and there was nothing more to say on their account than about Catholics and Protestants of similar standing." He also communicated

to the Conseil d'État a subsequent letter from the Bordeaux subdelegate confirming the irreproachable behavior of the Jews, their care of their own poor, who were never seen begging, as well as their considerable economic utility.[13] For men of the eighteenth-century French Enlightenment the Sephardim were the model to which all Jews should aspire. For the Sephardi Jews themselves, the assertion of the distinctiveness of their cultural heritage and legal status in France became a central plank in the political arguments they presented in defense of their status both at the end of the ancien régime and during the years of the Revolution.

The Sephardim of the southwest attempted to maintain their distinctiveness even from the other Jews who lived in southern France, the "papal Jews" of the four urban communities of Avignon, Carpentras, Cavaillon, and l'Isle-sur-Sorgue, which were under the control of the pope from the end of the thirteenth century until 1791.[14] When Jews from these communities tried during the eighteenth century to join their fellow Jews in Bordeaux and Saint-Esprit, they encountered resistance from Sephardi leaders, who feared they might lose control over the community and might have to support the indigent among the newcomers. Yet the Jews from the papal states succeeded, particularly in the last half of the century, in planting themselves within the established Sephardi communities and in extending Jewish settlement, without legal support, into provinces contiguous with the papal states. By the end of the century Jews originally from the papal states could be found in Paris and Lyon, in Nîmes and Montpellier. So eager were the papal Jews to break out of their restricted area of residence and take advantage of economic opportunities elsewhere that the Jewish population of the four communities declined precipitously by the end of the century. No more than twenty-five hundred Jews lived in the papal states on the eve of the French Revolution.

Although the papal Jews did not live under French sovereignty until the area was annexed during the Revolution, they shared many of the characteristics of their Jewish neighbors dwelling on French soil in the southwest, though they retained some distinctive ritual customs. Relatively well integrated into their local milieu, they spoke the local Provençal dialect as well as a Jewish version of it. Although they had been restricted, like most Jews in France, to petty commerce and moneylending, they had expanded and diversified their economic activity in the course of the eighteenth century. Many Jews prospered through commerce in horses and donkeys and trade in raw silk and jewels. They spent greater periods of time pursuing their economic interests outside

of their communities at fairs in the French provinces, sometimes rousing the opposition of local Christian merchants. Their new wealth permitted all four of the papal Jewish communities to reconstruct their synagogues during the eighteenth century. Most importantly, with commercial growth came increased economic contact with members of the French bourgeoisie and the nobility. With time these Christians expressed less contempt for their Jewish economic contacts. The very eagerness of the Jews of the papal states to extend their economic activity in the neighboring French countryside and to markets in the interior of France, and to settle in new areas, suggests their sense of connectedness to the larger geographical entity of France even though they were not French subjects.[15]

Their heightened awareness of the disparity between their economic and social success and their legal status also encouraged Jews of the papal states to emigrate. In their four communities the Jews lived in horribly overcrowded ghettos called *carrières* that were closed at night. They were also subject to a variety of disabilities imposed by the Catholic church to demonstrate Jewish social inferiority. They were legally constrained, for example, to wear distinguishing marks upon their clothing—a yellow hat for males—and to refrain from working publicly upon Sunday or employing Christian servants, though in practice enforcement of these regulations varied. Because of Church policy they had to hide their Hebrew books, and they feared the secret baptism of their children by zealous servants. As late as 1781 an edict reinforced the system of a closed ghetto with a Christian gatekeeper paid by the Jews.

Like the Sephardim of Bordeaux and Bayonne, the Jews of the Comtat and Avignon maintained organized, self-governing communities whose philanthropic development was far more impressive than their contribution to traditional Jewish learning. As their population declined in the second half of the eighteenth century, however, the communities encountered financial difficulties and were unable to find sufficient personnel to staff their institutions. Jews planning to slip into the neighboring provinces of France simply refused to pay their communal taxes, and on the eve of the Revolution the *carrières* were deeply in debt.[16]

The newest of France's Jewish settlements existed in a semi-clandestine, but increasingly secure, situation in Paris.[17] Migrating from the three established centers of Jewish life in France, a handful of Jews arrived in Paris at the beginning of the eighteenth century; on the eve of the Revolution the Jewish population numbered some five hundred individuals. However, this multiethnic Jewish group did not constitute a

community like those found among the Sephardim, the Ashkenazim, or the papal Jews. Parisian Jews lacked formal recognition and therefore could not maintain the institutional infrastructure that characterized their communities of origin, although they doubtless maintained modest houses of prayer; moreover, they owned three cemeteries by the second half of the century. Most Jews plied their petty trades in the streets of Paris, seeking to blend into the urban population. Their presence in Paris was to prove important when the city became the political center of the Revolution.

If the Sephardim and the papal Jews provoked little public discussion due to their small numbers and their relatively high level of acculturation, the overwhelming majority of the Jews of France—about thirty thousand persons—living in the northeastern provinces of Alsace and Lorraine attracted considerable attention from both Enlightenment thinkers and royal officials in the last years of the ancien régime. The Jews of Alsace and Lorraine were Ashkenazi Jews, the westernmost outpost of the Yiddish-speaking Jews of central Europe, part of a cultural community that extended eastward to Poland. Even in the eighteenth century many of the Jews in the two provinces had come originally from German lands. France had acquired these Jews as a consequence of the expansion of her territorial holdings on the northeastern frontier in the sixteenth and seventeenth centuries, especially through the Treaty of Westphalia of 1648.[18]

The Jews of the northeastern provinces lived scattered among hundreds of small communities under the protection of many local authorities, both secular and clerical. On the eve of the Revolution, the vast majority made their home in Alsace, in more than 180 communities. Although exact numbers are hard to determine, because Jews without fixed or legal residence evaded the census takers in 1784, it has been estimated that at that time there were at least 22,500 Jews in the province.[19] Cities in Alsace jealously guarded the right to exclude Jews; consequently no Jews resided in Strasbourg, for example, although they entered the city on a daily basis, and paid a tax—also levied on animals—to conduct business there. The city of Metz, which hosted the largest Jewish community of Lorraine, was the cultural center of Ashkenazi Jewry in France. In the eighteenth century Jews had also settled in the city of Nancy. Yet most Jews of the northeastern provinces lived in villages and small towns, primarily in Alsace but also in the countryside of Lorraine and the neighboring region. Only a few dozen Jewish communities numbered more than two hundred persons, and in the majority of communes in Alsace

and Lorraine where Jews resided they made up between 10 and 50 percent of the total population. The milieu of village and small town provided the predominant Jewish social experience and enabled Jews to maintain strong social and cultural bonds while reinforcing their particular economic role in the countryside. Although they traded daily with local peasants and borrowed from local culture, for example in their folk art, Jews constituted a separate society capable of establishing its own norms and enforcing them. Through such diverse means as fines and various forms of social ostracism, including excommunication by the Jewish court, the Jewish communities maintained social order and policed the boundaries of their society. Residential patterns reinforced Jewish separatism. In Metz they lived in a virtual ghetto that was locked at night, and in Jewish communities of any size they occupied their own quarter.[20]

Despite their concentration in particular neighborhoods of cities and towns, the Jews of the northeastern provinces regularly dealt with the region's rural population in a way that enabled them to carve out a particular economic niche. Legal constraints and the generations-long development of their commercial skills determined their specific economic role. Like most Jews living under Christian rule, the Jews of Alsace and Lorraine were forbidden to own land, to conduct business in public on Sundays or Christian holidays, to join artisan guilds, or to sell new merchandise. Consequently, most male Jews earned their living by peddling in the countryside, bearing in the sacks they carried on their backs a host of small manufactured items that they sold to rural customers who could not make frequent visits to town markets. Other Jews sold old clothes or other used goods in the marketplace. A significant proportion of the Jewish population was involved in cattle trading, and to a lesser extent in the more lucrative trade in horses—an occupation that made them particularly useful as army purveyors in garrison towns like Metz. Because they regularly traversed the countryside, Jews also served as commercial brokers, bringing together peasants with the complementary needs of buying and selling. These instrumental contacts did not lead local peasants, or nobility or bourgeois for that matter, to value or respect Jews, unlike the attitudes of Christian authorities in the south.

As traders, Jews amassed capital on a modest scale that they lent at interest to their peasant customers as one component of a transaction such as the sale of a cow or the purchase of grain. In the absence of banking facilities Jewish moneylenders were a ready source of credit for the peasant. They made small loans, conducting transactions in secret, without recourse to the local notary public, thus enabling the peasant to keep

the details of his financial situation from curious neighbors. Providing credit to peasants in the provinces of Alsace and Lorraine, however necessary in economic terms, earned for Jews the image of "the usurer" par excellence in a society in which all moneylending was deemed morally suspect and all interest, no matter how modest, usurious. Peasant resentment of Jewish moneylenders exploded in 1777 when Alsace was flooded with forged receipts for debts owed to Jews, and the Jewish leadership of the region defended its constituents by appealing to the courts as well as by mounting a public relations campaign. More importantly, the cultural construction of the Jew as usurer figured prominently in public opinion on the Jews in France from the end of the ancien régime into the twentieth century and fueled anti-Jewish attitudes.[21]

Despite legal restrictions on Jewish economic activity in Alsace and Lorraine, the law recognized their presence in the region and guaranteed their freedom of worship. The Jews of Metz and parts of Alsace, for example, had been granted letters patent by Louis XIV in 1657.[22] Subject to different legal jurisdictions, the Jews of the two provinces were permitted to maintain autonomous communities according to the system that had emerged under medieval Christendom, although their population growth was regulated. Because of their size and their unbroken connection with the central European Ashkenazi tradition, the Jews of Alsace and Lorraine maintained institutionally diversified communities. With its synagogue or place of prayer, its *mikveh,* school, cemetery, and court, the Jewish community provided fully for the religious needs of its members, saw to their education, assumed responsibility for the resident poor, and adjudicated civil cases between Jewish litigants. Since taxes were imposed upon corporate groups rather than individuals, the various Jewish communities were responsible for paying to the appropriate authorities the numerous charges to which the Jews were subjected. For the authorities, of course, this was the primary function of the Jewish communities, followed by maintaining order among the Jewish population. As late as 1769, for example, the Jewish community of Metz issued sumptuary legislation to limit public displays of luxury. Such edicts aimed to diminish the antisemitism that the demonstration of Jewish wealth might provoke by controlling the personal behavior of the community's members.

Like other communities and corporate groups, the Jewish communities of the ancien régime were not democratic. Voting privileges depended upon gender, marital status, and wealth; in general, prosperous married men selected the communal leadership. The wealthiest laymen, an oligarchy of Jewish notables, led the community, serving as its syndics. Usually merchants, bankers, or industrialists on a grand scale, they exerted the most influence with both local and national authorities because of their contributions to the economy. They also bore the bulk of the communal tax burden. Sophisticated and somewhat acculturated, they often had international commercial contacts and access to French governmental representatives. Thus, at the end of the ancien régime a rich army purveyor and merchant named Cerf Berr led the Jews of Alsace; a banker and tobacco manufacturer from Nancy, Berr Isaac Berr, was among the most important leaders of the Jews of Lorraine. Although communal rabbis possessed the authority of Jewish tradition, they actually served at the will of the lay leaders.

Secular currents of the eighteenth century scarcely touched the Jewish communities of Alsace and Lorraine. From all accounts the practice of traditional Judaism was widespread among the Jewish leadership as well as the masses. Still, the Jews of northeastern France contributed little to elite Jewish culture. Few rabbis served the scattered communities, and many of them were recruited from centers of Ashkenazi scholarship in central Europe. There were several small yeshivas (academies of advanced study in rabbinics) in Alsace, but only the Jewish community of Metz could lay claim to being a regional center of Jewish culture. It was home to a widely respected yeshiva with a sizable student body drawn from the broad Ashkenazi orbit, its rabbinical office was of sufficient prestige to attract candidates of repute within the Jewish world, and in 1764 a Hebrew printing press was established there.[23]

Fiscal constraints limited the cultural and institutional development of the Jewish communities of Alsace and Lorraine. Jewish rights of residence depended on the payment of duties that weighed increasingly heavily upon the communities during the eighteenth century. The Jews of Metz and the surrounding region, for example, owed a large sum of twenty thousand livres per year to the Duke of Brancas. To meet their annual payments, the Jewish communities, under the direction of their syndics, had to borrow funds; on the eve of the Revolution they were deeply in debt. Not surprisingly, the syndics of Metz restricted entry into the Jewish community to those who would be able to contribute to the tax burden and help defray the accumulated debt. Probably the straitened financial situation of the Jewish community hastened the decline of the city's Jewish population in the second half of the century. The tax burden also complicated the relationship between the growing number of Jews who lived in the surrounding region and Metz Jewish leaders.

Not only did the latter speak for the entire Jewish population of the province of Lorraine and the Trois-Évêchés vis-à-vis the authorities, they also allocated the sums that the outlying communities were expected to pay as their share of the interest on the accumulated debt and the current tax bill. As Jewish communities in the region grew in size, they increasingly resented this taxation without representation.

By the end of the ancien régime the authority of the traditional Jewish community had begun to erode, especially in the Ashkenazi settlements of the northeastern provinces, where it had reached its fullest expression. Disaffected communal members turned to non-Jewish courts and thus contributed to the loss of authority of the Jewish community. The status of the Jewish court of Metz, for example, became an issue in the struggle of the local *parlement* to assert its authority vis-à-vis the king, the traditional protector of the Jews. In 1743 the *parlement,* as a court of appeal, had demanded and received a French translation of the code of Jewish civil law, the Hoshen Mishpat, in order to be able to judge cases involving Jews that came to its attention.[24] Although the Jewish community in general had long proscribed bringing disputes among Jews into Gentile courts, in the eighteenth century a few Metz Jews, drawn from the affluent strata of the community, appealed to the Metz *parlement.* They challenged rabbinic jurisdiction over civil matters because they came away empty from the *bet din* (Jewish court) or were subject to such extreme sanctions as the *herem* (excommunication) to compel compliance with court decisions. As a result of one case, involving a widow whose husband had left her a greater part of his estate than she was entitled to under Jewish law, the *parlement* issued a decree in 1759 that banned the use of the *herem.* In response, paid agents of the community successfully lobbied the king. They argued for the indivisibility of religious and secular matters in Jewish law and pointed to the deleterious impact of the erosion of rabbinic authority on the ability of the communal leadership to maintain social order. In 1767 the king condemned the *parlement*'s incursion upon royal authority, supporting the Jewish community's assertion of its traditional judicial prerogatives. In the last years of the ancien régime the *parlement* suspended its attacks upon the judicial privileges of the Jewish community. However, as a consequence of the struggle the community had conceded the right of its members to seek recourse in the *parlement* in serious cases or where judicial passions were enflamed. Furthermore, challenges to communal authority in Metz, while infrequent, did not cease.

Growing restriction of Jewish communal autonomy in eighteenth-century Metz confirmed the fragility of traditional patterns of Jewish self-governance in France at the end of the ancien régime. The Jews of Bordeaux and Bayonne had always taken their disputes to French courts. And the five to eight hundred Jews living in Paris on the eve of the French Revolution had no system of judicial autonomy, indeed no legal community whatsoever, because their presence in the capital had never been officially recognized. Their existence in a legal limbo offered a silent, and as yet unacknowledged, challenge to the communal autonomy of the rest of French Jewry.

Not only had weaknesses in the traditional structure of Jewish corporate autonomy developed, but among the more prosperous Ashkenazi and especially Sephardi Jews signs of new intellectual currents also appeared that would subvert the social and cultural hegemony of rabbinic tradition. While the Sephardi Jews of the southwest, because of their Marrano experience, had always been more acculturated than the Ashkenazi Jews of the northeastern provinces, in the last years of the ancien régime some observers noted a significant decline in religious observance in Bordeaux, particularly among the Sephardi elite. Rabbi Haim David Azulai, an emissary from the Jewish community of Palestine who periodically traversed Europe in search of contributions for the upkeep of the Jews of the Holy Land, remarked in his account of his 1777–1778 visit to Bordeaux that many of the leaders of the community held heretical ideas; some even ate forbidden foods in public and did not obey the laws of menstrual purity.[25] Such aspersions were not cast upon the Ashkenazi leadership, yet a stratum of that elite found attractive the doctrines of Haskalah (Jewish enlightenment) emanating from the cosmopolitan center of Berlin.[26]

Knowledgeable in Hebrew, French, and German (as well as Yiddish), the wealthy Jewish merchants and bankers of the northeastern provinces, particularly those who resided in the urban communities of Lorraine, maintained contact with the new ideas emerging among the modern intellectuals of the Berlin Jewish bourgeoisie. Cerf Berr, the most important leader of Alsatian Jewry, and Berr Isaac Berr of Nancy, along with a dozen other Jews primarily of Metz and Nancy subscribed in the 1780s to the Hebrew Haskalah periodical *Hameassef,* published in Berlin. In 1782 Berr Isaac Berr had translated into French the Haskalah pamphlet *Divrei Shalom ve-Emet* (Words of Peace and Truth). The pamphlet promoted secular culture and urged Jewish schools to introduce secular

subjects into their curriculum. Characteristic of Haskalah writing, it called for a revolution in Jewish self-understanding and definition of culture: Jews were to privilege secular Western culture over traditional Jewish learning and were to seek social integration rather than separateness. Several years later Isaie Berr Bing of Metz published a Hebrew translation of one of the philosophical works of the outstanding figure of the Berlin Haskalah, Moses Mendelssohn.[27] Although the number of French *Maskilim* (followers of the Jewish enlightenment movement) was quite limited, their wealth and leadership position within the organized Jewish community allowed them to disseminate their ideas. Their openness to the doctrines of the German Haskalah suggests their desire for significant social and cultural change in their own communities and their recognition of the potential to succeed in their own time.

Alongside hints of social and ideological change within the Jewish communities of the northeastern provinces on the eve of the Revolution came potential changes in Jewish legal status. Although the developments affected only a few exceptional individuals, they breached the wall of manifold legal restrictions on Jews. They were the first crack in the system that had traditionally maintained Jews in a condition of subordination. Thus, for example, Cerf Berr successfully challenged the right of the city of Strasbourg to forbid the settlement of Jews within its jurisdiction. By securing a royal decree in support of his right to live in Strasbourg, he was able to move his large household, including his retainers, into the city.[28] Similarly, a few wealthy Jews in Lorraine secured letters patent enabling them to purchase property outside the Jewish quarter of their commune or to buy land in the countryside.[29] One Jewish banker and army purveyor who lived in Paris even acquired letters of naturalization from Louis XVI and bought the barony of Picquigny, with its accompanying feudal rights, including the right to appoint priests.[30] Although such instances of deviation from the normal status of Jews occasioned intense public debate and lawsuits, they brought attention to the anomalous situation of Jews in France, as long resident but foreign subjects of the king. The favors extended to prominent and economically valuable Jews potentially subverted the legal status of all Jews by invalidating the hegemony of existing legislation.

Despite challenges posed to the traditional status of the Jews in France—to their legal subordination and judicial autonomy—and to the persistence of traditional observance of Jewish law, Jews living in France on the eve of the French Revolution remained a distinct and largely unacculturated group. Partially segregated by law, by socioeconomic status, and by choice, Jews lived on the margins of French society and culture. In agreement with those French who thought about Jews at all, they saw themselves as a separate group—Jews living under French rule but not French Jews. As yet there existed no social space for the construction of a French Jewish identity. Only a small sector of the Jews of France—many in the Sephardi population but only a handful of the elite in the Ashkenazi communities—knew enough French to read French literature or to converse with their French neighbors. By the end of the eighteenth century the first hesitant steps had been taken toward eroding the traditional status of the Jews in France, but it would take the force of revolution to transform their legal position and to create a French Jewish community whose members defined themselves in ways scarcely imaginable during the ancien régime.

CHAPTER TWO

The French Revolution and the Emancipation of the Jews



The French Revolution transformed the status of the Jews in modern France, even as it shaped so much of what we understand as modern political culture. For the first time in Europe Jews were granted equal citizenship. Their position as members of autonomous communities governed by their own leadership according to Jewish law and subject to discriminatory taxation and restrictive legislation gave way to individual citizenship with all the rights and obligations attached to that status. From a community of minor importance in both size and cultural achievement among the larger Jewish populations of central and eastern Europe, the forty thousand Jews of France were thrust into the forefront of modern Jewish history. They were the first to confront the opportunities and challenges offered by emancipation, the first to grapple with the problem of reconciling a modicum of Jewish particularity

with the proclaimed universalism of citizenship in a modern state. The civic equality they attained became a model for other European Jews during much of the nineteenth century and an object lesson for some Jewish critics of the consequences of emancipation at the end of that century. For the modern historian, the process of their emancipation reveals the ambivalent situation of the Jews in French society before, during, and after the Revolution. Their emancipation clarifies both the possibilities and the precariousness of Jewish existence in the modern world.[1]

The "Jewish question" emerged upon the agenda of European intellectuals and publicists with the dissemination of Enlightenment thought by the last quarter of the eighteenth century. In developing the doctrines of natural rights and natural religion, Enlightenment thinkers argued that the common humanity of (at least) male members of society was more important than their particular religious or historic differences. They posited as well that human behavior derived from environmental influences. In this rationalist concept of the individual and society, the Jews of western and central Europe appeared as an anomaly. Separated from their fellow men, they were deprived of the happiness that the Enlightenment sought to confer upon all individuals and were unable to contribute to the social good. On the contrary, their neighbors saw them as economically rapacious and socially detrimental. Yet, to Enlightenment thinkers there existed a potential for regenerating the Jews and transforming them into useful citizens. After all, the German Jewish philosopher Moses Mendelssohn (1729–1786), celebrated by his friend Gotthold Ephraim Lessing in his play "Nathan the Wise," proved in his very being that Jews could enter into the society of the "Enlightened" and contribute to European thought. Indeed, in Berlin a small circle of acculturated Jews mixed socially with some of their Gentile peers. Jews thus offered a test case for the use of Enlightenment doctrine in governmental administration to improve society.[2]

To be sure, not all Enlightenment thinkers were convinced that the Jews were susceptible to improvement. As Arthur Hertzberg has demonstrated, Voltaire, for all his calls for religious tolerance, spoke of the Jews in terms suggesting innate negative qualities: "They are, all of them, born with raging fanaticism in their hearts, just as the Bretons and the Germans are born with blond hair."[3] Yet the dominant message in Enlightenment thought, including Voltaire's writing, suggested new and tolerant ways to treat the Jews, despite their many unpleasant character traits. Unlike Hertzberg, I do not see in Voltaire's antipathy toward Jews the origin of modern racial antisemitism.

In the 1780s topical debate highlighted the "Jewish question" in Enlightenment circles and spurred interest in the issue in France. The first full-scale treatment of the situation of the Jews, Christian Wilhelm Dohm's *Über die bürgerliche Verbesserung der Juden* (On the civic improvement of the Jews) was published in Berlin in 1781 and quickly translated into French, with an appended memorandum about the Jews of Alsace. The project actually originated in France, in that the wealthy Alsatian Jewish leader Cerf Berr had indirectly initiated it. Cerf Berr, who maintained contact with Berlin *Maskilim,* had sought the aid of Moses Mendelssohn in response to the flooding of Alsace with false receipts to Jewish loans and with anti-Jewish propaganda in 1777. Mendelssohn in turn asked the enlightened Prussian scholar and governmental councilor Dohm to address the issue of the status of the Jews. Mendelssohn correctly assumed that a Christian would receive a more sympathetic hearing than a Jew. Dohm's argument in favor of granting Jews civil rights and his prediction of the salutary impact of civic equality upon their behavior framed the subsequent debates. Although the book was not permitted to be distributed in France, it received wide publicity when its argument was summarized by the liberal noble, Count Honoré de Mirabeau, in his 1787 work entitled *Sur Moses Mendelssohn, sur la reforme politique des juifs* . . . (On Moses Mendelssohn and the political reform of the Jews . . .).[4]

Progress also occurred in governmental circles. In January 1782 the Holy Roman Emperor Joseph II, a self-styled "enlightened" monarch, issued his Edict of Toleration for the Jews of Lower Austria. Promulgating a doctrine of religious tolerance, the edict promoted secular education by permitting Jews to study in Christian schools, removed restrictions on Jewish participation in crafts and commerce, and eliminated discriminatory taxation. It also signaled the need for Jews to acculturate, at least linguistically, by banning the use of Hebrew and Yiddish in their business records. Joseph II's initiative was not lost upon his brother-in-law, Louis XVI, who in January 1784 issued a progressive, though less far-reaching, measure. It abolished the humiliating body tax, a tax levied only on Jews and animals, and promulgated letters patent in July that extended new opportunities in commerce and industry to the most downtrodden of France's Jews, those of Alsace. However, the letters patent were preoccupied not with integrating the Jews into French society but with restricting the growth of the Jewish population in Alsace and minimizing opportunities for Jews to practice usury there.[5]

The culmination of the prerevolutionary public debate about the Jews in France occurred in the last years of the decade when the Royal Society of Arts and Sciences in Metz announced an essay contest on the subject "Are there means of making the Jews happier and more useful in France?" The question itself was double-edged. Like Dohm's ambivalent usage of the term "*Verbesserung,*" which carried a message of both improvement and self-improvement, the phrasing of the Metz essay contest presumed that the status and behavior of the Jews were both deficient and linked one to the other. Of the nine entries received, seven were written in the spirit of the Enlightenment. Three—by the Abbé Henri Grégoire, a liberal curé in Lorraine who would be among the foremost champions of the Jews during the Revolution; the Protestant lawyer Thiéry of Nancy; and the enlightened Polish-Jewish immigrant writer Zalkind Hourwitz—were awarded prizes in 1787. Published in 1788 and 1789, they appeared in time to contribute to public opinion on the eve of and during the Revolution.[6]

All three prizewinners argued for the possibility and the necessity of "regenerating" the Jews. Like all others, Jews could be reformed; their defects were not innate. As Grégoire put it, "The Jew is born with the same dispositions as we."[7] Justice called for an end to their disparagement and degradation. To be sure, their current economic, social, and cultural conditions were lamentable. The three essayists perceived the Jews as laboring under the burdens of a tradition that was out of step with the requirements of the age. Indeed, some of the most trenchant criticism of the deleterious impact of traditional Judaism on the behavior of its adherents came from the pen of the sole Jewish participant in the contest, Zalkind Hourwitz, though he defended the Jews from attacks on their character. Yet, all three attributed Jewish vices primarily to the hostility of the larger society. To cite Thiéry, "Let us no longer accuse the Jews, let us no longer accuse a holy Law of having delivered them to the insatiable greed that devours them; let us accuse only ourselves, our error and the vice of our conduct towards them."[8] Or as Grégoire phrased it succinctly, "He [the Jew] was despised, he became despicable; in his place we would perhaps have been worse."[9]

Although Grégoire, Thiéry, and Hourwitz absolved the Jews of responsibility for their economic and moral lapses and affirmed in no uncertain terms that a change in governmental policy and social attitudes toward the Jews would lead to a dramatic improvement in their behavior, their construction of the "Jewish question" and its resolution reflected the basic ambivalence of the Enlightenment toward the Jews. The

Jews merited equality not for what they were but for what they might one day be. The shabby Jewish old-clothes peddler or shrewd cattle dealer who drove a hard bargain on a loan deserved better treatment because he would respond to the blandishments of equality by becoming a different person, an acculturated and productive member of society. As Thiéry stated confidently, "we can make of the Jews what we want them to become."[10] Those spokesmen of progressive opinion who favored improving the lot of the Jews promoted the thorough transformation of the Jews as they were brought closer to their Christian countrymen through governmental policy that deterred Jewish self-segregation and solidarity. What Jewish identity or belief would remain once Jews responded favorably, as nature and reason dictated they must, to the welcoming overtures of their fellow human beings remained unspoken. Perhaps it was assumed that little of the distinguishing characteristics of the Jews would survive. In fact, Grégoire looked forward to their conversion as an inexorable consequence of their encounter with the tolerance of their fellow French citizens and the impact of modern Western culture.[11]

Despite the legislation of 1784 the status of the Jews in France did not change appreciably before the Revolution. The debate had been joined, but its consequences were to be realized only when the politics of regeneration found both symbolic and concrete expression in the discourse and action of revolution. At the end of the 1780s each of France's Jewish "nations" was following a different strategy. The Jews of Marrano origin living in Bordeaux and Saint-Esprit basked in the privileges they had received in their letters patent of 1723, renewed in 1753. The small number of Jews living without formal regulation in Paris kept a low profile. On the other hand, the leadership of the more than thirty thousand Ashkenazi Jews of Alsace and Lorraine actively sought redress from heavy tax liabilities and lobbied to expand their limited rights. The vigorous efforts of the wealthy army purveyor, Cerf Berr of Strasbourg, however, had yielded disappointing results in 1784. In 1788 a new opportunity for presenting the case of the Jews to the authorities appeared when the minister Chrétien Guillaume de Malesherbes was entrusted with reviewing the situation of the Jews. A year earlier Malesherbes had prepared two memoranda on the status of Protestants in France.[12]

These memoranda had culminated in a royal edict declaring that civil rights could not be limited to Catholics. Although aimed at France's Protestants, who were mentioned explicitly in the introduction, the edict's phrasing of the question in its title and text in terms of

"non-Catholics" raised the issue of whether Jews could also aspire to citizenship. Despite the government's intention that the Jews not be included in the edict's provisions, the government initiated an investigation into their situation in France.

Historians label the review the "Malesherbes Commission," but there was no formal commission. Rather, Malesherbes attempted through correspondence and interviews to amass as much information as he could on the current situation of the various Jewish communities in France. He saw the root of popular hostility to the Jews in their remaining a foreign "nation within a nation" and planned to recommend their integration in France as a religious minority parallel to the Protestant minority.

Because of their different legal status and goals, the Sephardi Jews of the southwest and the Ashkenazi Jews of the northeast responded differently to Malesherbes's project. The wealthy leaders of the Ashkenazim of Alsace and Lorraine, Cerf Berr and Berr Isaac Berr, sought civic equality for their constituents and proposed the amelioration of the situation of the Jewish poor through education. As syndics of their respective communities, they presumed the survival of their communal structures. The prosperous and acculturated Jewish leaders of Bordeaux and Bayonne shared some of these goals but displayed other concerns as well. They assumed that Malesherbes planned to promote a single legal status for all the Jews in the realm in conferring upon them an *état civil*—civil recognition with an authorized registry of their births, marriages, and deaths. However, they feared their linkage with the maligned Jews of Alsace and Lorraine. Since Sephardi Jews already had a recognized registry of their life cycle events, enjoyed legal privileges beyond those of other Jews living in France, and had experienced a measure of respect from and social integration with their Christian peers, they felt they had more to lose than to gain from Malesherbes's activity. Thus they sought to maintain their distinctiveness and their communal organization in the face of plans to amalgamate them into the masses of French Jewry, with whom they felt no social or ethnic, and only a minimal religious, bond. Under the leadership of Abraham Furtado, a follower of the Enlightenment, a deputation went to Paris to meet with Malesherbes in the spring of 1788. Historian Frances Malino argues that the Sephardim "hoped to achieve both an extension of their privileges consistent with the new rights granted to non-Catholics, and a retention of their separate and unique status."[13] This separatist strategy, as we shall see, was to characterize the Jews of Bordeaux and Bayonne when the "Jewish question" appeared upon the agenda of the Revolution the following year.

The Malesherbes "commission" led to no immediate change in the status of the Jews of France. The political crisis that began in the summer of 1788 diverted Malesherbes's attention from the Jews and ultimately changed the institutional framework, though not the ideological parameters, in which the "Jewish question" would be discussed. The developments of the 1780s reveal a diffusion of interest in the condition of the Jews among broader strata of elite public opinion and articulation of a rationale and a program for the transformation of the status of the Jews as well as their social regeneration among those influenced by the Enlightenment. The decade also testifies to the responsiveness of Jewish communal leaders to perceived opportunities to expand Jewish rights within the context of Jewish communal autonomy. The events of 1789 would lead inexorably, though with some hesitancy, to a radical redefinition of Jewish rights that eliminated Jewish communal autonomy.

It is no surprise that the French Revolution created a dramatically new status for the Jews of France that became a model for Jews of western and central Europe and for some within the Russian empire. As the historian Lynn Hunt has pointed out, the rhetoric of the Revolution broke resoundingly with the past, abnegating its legacy and consciously striving to create a new man and a new nation through the political process.[14] The regeneration of the Jews, then, could be viewed as part of a larger process involving the entire French people as a consequence of their participation in making a revolution.[15]

Given the congruence between prevailing Enlightenment discourse on the way to resolve the "Jewish question" and the rhetoric of the Revolution, the surprise is not that the Jews were emancipated but that they were not immediately emancipated. Instead, the French followed a tortuous path in emancipating their Jews. Revolutionary rhetoric and Enlightenment attitudes could not immediately overcome traditional sentiment that proved stronger than ideology nor eliminate the sources of friction that persisted in daily life. Moreover, the ambivalence that supporters of Jewish emancipation expressed toward the Jews could only reinforce popular prejudices against them. Despite the radical rhetoric, then, Jews had to wait for emancipation. The two years' delay in conferring civic equality upon the Jews also reflected the fact that the revolutionaries had more pressing problems to solve than the status of a tiny, unpopular minority concentrated primarily on the periphery of the new nation.

The Jews scarcely figured in the prerevolutionary ferment surrounding the establishment of electoral assemblies to select representatives for

the Estates General, convoked by the king for the spring of 1789. To be sure, leaders of each of the major Jewish communities interpreted the decree about participation in the electoral assemblies as permitting Jews a role. Despite some local resistance, the Jews of Bordeaux and Bayonne did take part in the elections, the former completely integrated in the process and the latter in a separate assembly to choose their own electors. The Jews of Alsace and Lorraine, however, were rebuffed. Responding to the intense local antipathy toward them and fearing the outbreak of disorder, the government determined that they did not meet the requirements of electoral participation, despite their birth on French soil and their payment of taxes.[16]

Ever persistent and vigilant, Cerf Berr petitioned the government and received permission for the Jews of the northeast to draw up their own *cahier de doléances* (list of grievances), to send two representatives to Paris, and to seek support for their cause among Christian delegates. In response, Cerf Berr's son Marx Berr convened a meeting in May of thirty-seven hand-picked Jewish notables from Alsace to select the delegates to Paris and to draw up a *cahier* that would be collated with similar documents from the Jewish communities of Metz, Lorraine, and the Trois-Évêchés. The *cahier* of the Jews of Alsace vividly displays their perception of what was politically possible to demand and desirable to achieve to improve their situation. In nine paragraphs the leaders of Alsatian Jewry sought civic equality without political emancipation. Aware of the contemporary public debate on the "Jewish question," they adopted the prevailing liberal rhetoric. The conclusion of the *cahier* stated that "the general wish of all the members of the corps of the Jewish Nation in Alsace tends to its absolute regeneration in a manner that would make it useful to the State. . . ." To accomplish that task, they demanded an end to discriminatory taxation, to restrictions on their right of settlement in Alsace, and to the expression by public officials of humiliating epithets against them. They asked for parity with their Christian neighbors in several areas: the right to practice all occupations, to marry freely as long as they could support a family, and to own property, including land. And, finally, they desired the right to remain different through the free exercise of their religion and the retention of their autonomous community and its institutions.[17] The presentation of the Jewish case did not take place, however, until the summer, and the development of the Revolution's ideology would quickly make clear the irreconcilability within revolutionary thought of the right to equality and the right to be different.

The local representatives of the various estates had prepared their *cahiers de doléances* long before the Jews of northeastern France were ready to present theirs. Of the more than forty thousand *cahiers* drawn up, only some three hundred, virtually all from Alsace and Lorraine, discuss the Jews at all. Although a few of these *cahiers* took a liberal position on the "Jewish question" (with eight in Lorraine and the Trois-Évêchés even suggesting emancipation), the vast majority expressed a profound antipathy toward the Jews, couched in terms of resentment of their economic role as moneylenders and petty traders. Rather than seeking the amelioration of the status of the Jews in light of humanistic Enlightenment tenets, some of the *cahiers* went so far as to suggest the imposition of tried-and-true restrictive measures of the past, such as ghettoization or expulsion. Popular opinion was not yet ready to accept the Jews as equal citizens.[18]

On several occasions in the first months of the Revolution the democratic and egalitarian thrust of revolutionary action and discourse might have included the Jews, but the combined force of conservative ideologues and resistance by Alsatian revolutionary leaders prevented it. On the night of August 3, Abbé Grégoire rose in the Constituent Assembly to deplore the continuing anti-Jewish riots that had erupted in Alsace from the end of July. He thereby raised the "Jewish question" for the first time in a revolutionary forum, but his intervention elicited no response. Later that month the issue of civic equality itself took central stage. The Declaration of the Rights of Man and of the Citizen, adopted on August 26, proclaimed in its first and tenth article that "All men are born, and remain, free and equal in rights" and that "No person shall be molested for his opinions, even such as are religious. . . ."[19] Jewish spokesmen and some of their Christian supporters assumed that this declaration signaled the inclusion of Jews in the ranks of citizens. Pressure from the Alsatian delegates and ongoing popular violence there led the authorities to interpret the text as making no claim as to the legal status of the Jews. Similarly, the debate that took place at the end of December on the subject of conferring the right to vote and be elected to office on all non-Catholics resulted in a favorable decision for France's Protestants but not for her Jews.[20]

Despite the Constituent Assembly's reluctance to include the Jews as equals in the new French nation, during the summer of anti-Jewish violence and the autumn of legislative footdragging the process of lobbying for civic rights amidst revolutionary rhetoric changed the terms

upon which Jews could acquire citizenship. On August 31 the Jews of Alsace and Lorraine presented their demands to the Assembly in the form of an address. The original nine articles found in the *cahiers* of the Jews of Alsace had been reduced to four demands: the title and rights of citizenship; the right of settlement throughout the kingdom; parity in taxation; and the maintenance of Jewish communal autonomy.[21]

By the time the address was delivered, however, it had become obsolete, for representatives of the small Jewish community of Paris, the Jews closest to the revolutionary events, had submitted their own address five days earlier. Proclaiming their patriotism and calling for citizenship in the name of justice, they renounced any claim to "the privilege that had been accorded us to have our particular leaders, drawn from our midst. . . ."[22] With that clause the Jews of Paris disavowed and delegitimated the communal autonomy that had characterized European Jewry from the Middle Ages and proclaimed its inappropriateness for the future. For them it was a small price to pay since their community had never enjoyed the privilege of communal autonomy. Having experienced the "revolutionary days," the Jews of Paris had doubtless internalized the consciousness that characterized revolutionary actors—that they were living through, in the words of the historian François Furet, "a radical change and the origin of a new era."[23]

Imbued with the revolutionary sense of the break with the past and the "politicization of the everyday," the Jews of Paris recognized that the times demanded sweeping changes in the way they and their fellow Jews represented themselves to the general society. Indeed, in their address they had commented that "the past must answer to the future."[24] This privileging of the future over the past authorized the reconceptualization of the Jewish community. Just as "French revolutionary rhetoric broke through the confines of past politics by positing the existence of a new community . . . and by insisting that it could be realized through politics,"[25] so the address of the Paris Jews broke through the limits of received concepts of the place of Jews within society by positing that as citizens, a status to be achieved through political action, Jews would form a new community, no longer legally separate from civil society.

Although the Jews of Paris were few in number, their proposed redefinition of the nature of the Jewish community found a responsive audience among the liberal supporters of Jewish emancipation because it transformed the focus of political change from the Jewish "nations" to Jewish individuals. In liberal thought of the eighteenth century, as François Furet has observed, "the individual [was] not only a concept

but a value."[26] In seeking to confer an individual public identity upon Jews by legally dissolving the autonomous corporate Jewish community, the Revolution followed the general policy it had applied to all corporations that mediated between the individual and the state. As the historian Mona Ozouf has remarked, "The Constituent Assembly set out to eliminate systematically anything that might impede free individual expression: religious orders or corporations and all private organizations in which men banded together 'in the name of their so-called common interests' were seen by the deputies as erecting a much-feared screen between the individual interest and the general interest."[27]

Indeed, a passionate supporter of equal rights for Jews, the liberal Count Stanislas de Clermont-Tonnerre, in the December 23 debate on the eligibility for citizenship of the Jews along with other non-Catholics, rebutted the arguments of the opponents of Jewish emancipation by focusing precisely on the claim of Jews as individuals to equality. In a famous speech he declared, "To the Jews as a Nation, nothing; to the Jews as individuals, everything. They must renounce their judges; they must have none but ours. . . . They must not form a political corps or an Order in the state; they must be citizens individually."[28] The Count went on to affirm his confidence that the Jews would be prepared to accept citizenship under these conditions. If they chose not to, they would have to be expelled.

To the conservative clergy and the delegates from Alsace and Lorraine who opposed the extension of equal rights to Jews, the Jews could not legitimately be seen simply as individuals but only as members of a collective whose very essence was defined in their shared historic experience and religious culture. They had always lived as a "nation within a nation," refusing to assimilate with the peoples among whom they dwelled. Although they resided in France, they were not French but eternal foreigners.[29] Moreover, their religious tenets created insuperable obstacles to assuming the obligations of citizenship. As Bishop Anne-Lois Henry de la Fare of Nancy declared in the December debate,

> One must not admit to public employment, to administration, to the prerogatives of family . . . a tribe whose religion, customs . . . and morality differ essentially from those of all other people; a tribe whose eyes turn ceaselessly to the common homeland that must reunite its dispersed members . . . If he [the Jew] is faithful to his law, he can fill only imperfectly the first duty of the citizen, that of bearing arms, because on the sabbath day his law prevents him from traveling, working, and fighting . . . [The Sabbath also prevents him] from actively filling any magistracy, civic employment, or municipal charge . . . from exercising, usefully for society, the professions of medicine,

> surgery, or pharmacy . . . If he is faithful to his law, he forbids himself all common meals and consequently all intimate society with Christians because he must neither eat meals they have prepared nor use the same utensils. . . . [30]

To his catalog of impediments to citizenship purportedly imposed by Judaism the Bishop also added the religion's many holy days, on which Jews could not work. Since French law would not permit them to work on Sundays and Christian holidays, it was inconceivable that they could contribute productively to society. As far as the Bishop was concerned, as long as Jews retained their Judaism, they could not be citizens.

As his concluding rationale for denying the rights of citizenship to Jews, the Bishop pointed out that conferring citizenship upon the Jews would be no kindness to them. It would only expose them to increasing violence from their neighbors who would reject such equality. Prudence dictated anticipating the possible misfortune that could result from failing to consider the feelings of those populations that best knew the Jews.[31] In sum, the Jews were an alien people, whose religion perpetuated their foreignness, prevented their utility wherever they settled, and stirred up popular hostility against them. This being the case, the Bishop's remarks implied, the burden fell upon the Jews to prove that they could indeed assume the responsibilities of citizenship *before* the government took so radical a step as their emancipation.

Both proponents and opponents of Jewish emancipation thus agreed that the behavior of the Jews was reprehensible and that their separation from society must end. Where they differed was on the causes of Jewish behavior and segregation and on the relationship of emancipation to the regeneration of the Jews. Building upon Enlightenment doctrines, proponents of emancipation asserted that Jewish behavior resulted from centuries of persecution and discrimination: a change in societal attitudes would of necessity regenerate the Jews. To what extent such regeneration would occur spontaneously or would require sustained state intervention varied with individual spokesmen. Opponents of Jewish emancipation doubted the possibilities of refashioning human behavior through social engineering. They took the weight of the past seriously and believed that Jews could not lightly cast off their own traditions. Moreover, they were unwilling to see Christian society shoulder the blame for Jewish defects of character and culture. The emancipation of the Jews would occur only after they themselves ended their alienation from Christian society and transcended the impediments to citizenship embedded within their faith. In December 1789 these divergent points of view, and

the vehemence with which the deputies from the northeast opposed Jewish emancipation, led to tabling the issue of Jewish citizenship.

Ever concerned that they suffer no loss of status and privilege through linkage with their Ashkenazi coreligionists, the Sephardi Jews of the southwest continued to follow a strategy of separating their interests from those of their fellow Jews.[32] Following the inconclusive December debate, they felt even more strongly the need to secure ratification of their contention that on the basis of their previous letters patent they were already citizens. Lobbying on their own behalf, at a time when the Jews of Alsace and Lorraine were pressing the issue of citizenship for all the Jews of France, they gained the support of two influential political figures, Jacques Necker and Charles-Maurice, duc de Talleyrand. Talleyrand presented the case for the Sephardi Jews on January 28, 1790. Responding to the charges of the opponents of Jewish emancipation in the previous month's debate, he demonstrated their inaccuracy as far as the Jews of Bordeaux were concerned. They were French subjects, who paid the same taxes as other Frenchmen and took part in the elections for the Estates General and who "served at this moment in the national militias . . . and fulfilled their functions without distinction to the day of the week."[33] The tactics of the Sephardim and their well-placed supporters succeeded. The decree that the Constituent Assembly passed on the day the issue was placed before them accepted the Sephardi Jews' argument, specifying that "[a]ll of the Jews known in France as Portuguese, Spanish, and Avignonese Jews shall continue to enjoy all the rights they have enjoyed until the present time, and which had been accorded them by letters patent. Consequently, they shall enjoy the rights of active citizen. . . ." The papal Jews of Avignon thus shared in the good fortune of the Sephardim, and after the majority of communities of the papal states expressed their loyalty to France, civic equality was extended to their Jewish residents in June 1791.[34] With their citizenship affirmed, the Jews of the southwest retired from the fray to enjoy their good fortune.

For the Jews of Alsace the struggle for civic equality continued for more than another year and a half. Its culmination in emancipation depended largely upon the growing radicalization of the Revolution and the ability of the Jews of Paris to interest the local Jacobins, concentrated in the Paris Commune, in their fate. As early as February 1790 the Paris Commune sent an address to the Constituent Assembly pointing out the anomaly of one status for Portuguese Jews and another for German Jews, when both types lived in Paris and expressed equally their patriotism.

Moreover, the address pointed to another paradox, the "consecration among the Jews of a sort of aristocracy" at the very time when the legislative body had destroyed it among the French citizenry. Despite the linkage of the issue of equal rights for Jews with the antiaristocratic rhetoric of the Revolution, the hostility of the deputies from Alsace—and the anti-Jewish violence that had erupted again in the province—carried the day.[35]

Although the Jews of Paris and of Alsace-Lorraine continued their lobbying throughout 1790 and 1791, and the Paris Commune offered its strong support, only as the Constituent Assembly was bringing its work to conclusion in the fall of 1791 did the Jews of France finally obtain full rights of citizenship. In an unanticipated intervention, on September 27, the Parisian deputy Adrien Du Port pointed out that the Jews remained the only group in France whose right to equal citizenship was not regulated by the newly adopted constitution. Du Port then called for the revocation of all measures that limited Jewish rights. No distinction should be made among the political rights of citizens because of their religious beliefs, he resoundingly declared. When the Alsatian Jacobin deputy, Jean-François Rewbell, a long-standing opponent of the Jews, sought the floor for rebuttal, he was effectively undercut. A moderate deputy stated simply that to combat Du Port's motion was to combat the constitution. The motion carried without debate, and all the Jews of France became French citizens.[36] Their Alsatian antagonists, however, did have their say the following day. They succeeded in amending the emancipation decree by adding a clause mandating that the civic oath Jews were to swear specifically include a formal renunciation of all prior privileges in their favor (such as communal autonomy). In response to a passionate speech by Rewbell, an additional decree was adopted. It ordered the Jews to furnish local authorities with a statement of their loans to Christians to ascertain whether the latter could pay their debts.[37] Emancipation thus resolved the Jews' legal status, but not their social situation.

The leadership of the Jews of Alsace and Lorraine welcomed the opportunities that emancipation offered them, despite their neighbors' evident hostility. On October 21, 1792 in the Metz synagogue Jews sang a Hebrew version of the "Marseillaise," written by a local *Maskil,* to soldiers at a civic festival celebrating the republican victory at Thionville. Historian Ronald Schechter argues that this event marked the "attempt of a traditional people to embrace the values of their liberators without losing their ancient identity."[38] Jewish leaders recognized, though, that their identity and their culture must be transformed in the wake of emancipation. Berr Isaac Berr took the occasion of the emancipation decree to call upon his fellow Jews to help realize an idyllic future of social harmony, in part by sending their children to French schools:

> Through this union in the schools, our children, as well as those of our fellow citizens, will note from their tender youth that neither opinion nor religious difference prevents fraternal love, and that . . . in fulfilling their religious obligations they can equally fulfill those of citizenship . . . with no more hatred or antipathy one to the other . . . They will know that, returning to their kin, some will go to church, others to temples or synagogues to worship under different forms and dogmas the true God. . . . [39]

In his appeal to his fellow Jews to welcome their new status as citizens and accept responsibility for self-regeneration, Berr Isaac Berr was among the first to articulate a project of assimilation, not only for the Jews of France but also for all Jews of western and central Europe who lived with the promise of emancipation. This project assumed that Jews would recognize the value of secular culture and strive to adopt the language, manners, and culture of the societies in which they lived. Although they would not renounce a particularist Jewish identity, they would define it in terms of a religious self-expression that would serve as the basis of Jewish solidarity. Berr Isaac Berr denied any conflict between civic responsibilities and the obligations imposed by Judaism that the opponents of emancipation thought inevitable. Instead he asserted the compatibility of civic responsibilities and Jewish obligations.[40]

The project of assimilation, as framed by the lay elite of the Jewish community, was clearly influenced by Enlightenment pronouncements on the Jews and by the debates surrounding emancipation. Yet, in at least one respect, the Jewish project of assimilation differed from that of the French who promoted their emancipation. Many of the non-Jewish proponents of emancipation envisioned the ultimate merger of Jews with the rest of the French population. They accepted Jewish religious difference but assumed that the salutary influence of French culture upon the emancipated Jews would erode Jewish particularist loyalties and reveal the superstitious nature of Jewish religious tradition.[41] In contrast, Jews saw no conflict between civic and religious obligations, and no tension between what the historian Uriel Tal has called "integration and identity." Jews imagined that they would acculturate to the majority society but still retain a particularist ethnic or communal as well as religious identity.[42] Unlike the men of the Enlightenment, the Jews had no intention of solving the "Jewish question" by disappearing within the majority.

The immediate impact of the emancipation upon France's Jewish community was not easy to distinguish during the turbulent years of the Revolution. True, once those Jews of Alsace-Lorraine and Paris who had the necessary financial means had sworn the civic oath, all the Jews living in France were recognized as French citizens. As the historian Simon Schwarzfuchs has pointed out, the Revolution created *the* French Jewish community, for emancipation eradicated the legal distinctions that had existed among the very different Jewish communities located upon French soil.[43] Yet, most Jews were too busy dealing with the growing anticlericalism of the Revolution and with the precariousness of their social situation to act, or reflect, upon their new status.

The radicalization of the Revolution harmed Jewish interests even though the primary target of the Jacobin assault on the historic religions was the Roman Catholic church and not the synagogue. Still, the substitution of the ten-day for the seven-day week transformed the observance of the Sabbath into an illegal act. During the Terror individual Jews were arrested for refusing to engage in commerce on Saturday or for strolling in public dressed in festive clothing on that day. An Alsatian Jewish *melamed* (traditional primary school teacher) named Jessel Lehman recorded in his Yiddish diary that Jews in the province had been forbidden to celebrate the Sabbath and compelled to keep their stores open and help local farmers with their chores. Some Jews, as in Haguenau and Paris, looked to such secret places as an oil factory or a cellar to hold clandestine religious services. Ritual slaughtering and circumcision came under attack, and it was difficult to gain permission to bake *matzah* for the Passover holiday. Although Jews had been permitted to establish new synagogues during the early years of the Revolution, during the Terror synagogues were ordered closed and their silver ritual items confiscated. Yet, synagogues were not singled out for maltreatment. Revolutionaries viewed the Church as the enemy—as one source, along with the aristocracy, of antirevolutionary conspiracy.[44]

Although the revolutionaries did not direct their antireligious policy against synagogues in particular, they did continue to distinguish Jews in other ways. They clearly opposed signs of Jewish particularism that were not explicitly religious. To radical Jacobins, for example, the Jewish man's beard and sidelocks (along with the Anabaptist's beard) and the married Jewish woman's wig were unacceptable, for they signified religious fanaticism and hence lack of support for the Revolution. Jessel Lehman commented in his diary in 1795 that several Jewish men were compelled to have their beards and sidelocks publicly shaved (and at their own expense). Jewish men were also ordered to remove their hats when they swore the oath of allegiance to the republic.[45] Thus the Revolution banned customs that differentiated the Jews from the model of the loyal citizen.

This opposition to symbolic aspects of Jewishness is not surprising, for the revolutionaries took symbols seriously and sought through symbolic action to achieve a measure of civic uniformity. Under the leadership of Grégoire, the Revolution conducted an assault on regional dialects, seeking to achieve linguistic uniformity as a prelude to cultural homogeneity.[46] In May 1794 the Committee on Public Safety commissioned the artist Jacques-Louis David to design a national civil uniform that would eliminate social distinctions between individuals. As Lynn Hunt has remarked, "During the Revolution, even the most ordinary objects and customs became political emblems . . . You could tell a good republican by how he dressed."[47] The particular signs of Jewishness, because they symbolically separated Jews from the new national community the Revolution sought to create, were expected to yield before the revolutionary vision.

Although revolutionaries tried to integrate Jews into the national community by forcibly eliminating aspects of their culture, real social integration of Jews occurred only sporadically during the years of the Revolution. Most Jews, like most Christians, were less than eager to serve in the army, but many did volunteer both for the regular army as well as the National Guard. In some cases, such as Nancy, Metz, and Wintzenheim (Upper Rhine), local authorities refused to accept Jews into the National Guard. Even in Saint-Esprit, where the Jews of Marrano origin were better integrated than in Alsace and Lorraine and had become citizens by January 1790, the city council created two all-Jewish companies of volunteers for the National Guard in November 1790 to prevent tensions between the Christian and Jewish volunteers.[48]

The Revolution did not allay the hostility that had long characterized popular attitudes toward Jews in Alsace and Lorraine. Indeed, the conspiratorial climate of the Revolution as well as the new expectations about Jewish behavior generated by the debates surrounding their emancipation at times exacerbated Jewish-Christian relations. In the northeastern provinces, and particularly Alsace, the traditional economic role of Jews as moneylenders, cattle dealers, and intermediaries between rural and urban markets had long provoked peasant resentment. During the summer of 1789 anti-Jewish violence had erupted in twenty Jewish communities in Upper Alsace, as peasants interpreted revolutionary freedom

as license to liberate themselves from their debts. To the Alsatian peasants, the persistence of Jews in their customary economic positions belied the presumption that emancipation would regenerate the Jews. Moreover, the commercial background and credit activities of the Jews enabled them to play a visible part in the sale of nationalized land. Although the historian Roland Marx has found that Jews acquired only 2 percent of the total nationalized land sold between 1789 and 1811 in Alsace (and no more than 10 percent if the land they acquired for Christians is included), rumors were rampant that one-third of Alsace had fallen into Jewish hands. During the Revolution, rural Alsatians became increasingly indebted to Jews; in some communes up to half the money owed by rural residents was owed to Jews. Some local governments responded by violating the civic equality conferred on Jews by taxing them at a higher rate than their non-Jewish neighbors. Perhaps because they spoke Yiddish and had international contacts, Jews in the northeastern provinces were also suspected of spying and counterfeiting money. Given their continuing status as a disparaged minority, it is no surprise that they were often blamed for the difficult times.[49]

The revolutionary activists who had emancipated the Jews anticipated their rapid regeneration and assimilation into the general population. Indeed, in 1793 a member of the Nancy municipal council took the ideology of assimilation to its ultimate conclusion by suggesting that any Jew who would not marry a non-Jew should be regarded as suspect.[50] Yet the authorities were unwilling themselves to assimilate the Jews in one respect. Although the government had decided to nationalize the debts of corporations abolished by the Revolution, it refused to do so regarding the substantial debts incurred by Jewish communities under the ancien régime in order to pay their discriminatory taxes. The Jewish communities had been disbanded, but their former members, who had petitioned that the Jewish corporations be treated no differently than the Church in this regard, were held responsible, along with their descendants, for the defunct communities' financial obligations. This legal "segregation" of the Jews reinforced the sense of differentness that emancipation presumably was designed to eradicate.[51]

The revolutionary act of emancipation may have had little perceptible impact upon the Jews of France during the years of the Revolution itself. There were few incentives for Jews to restructure their own economy at a time when economic conditions in general were precarious. Tried-and-true commercial pursuits appeared more promising to Jews than farming or artisanry. Promises of social integration seemed illusory,

and perhaps frightening, to a population that had recently experienced violence, was still the target of popular hostility, and was finding it difficult to follow its customary way of life.

Yet, the French Revolution initiated a process that would lead to the transformation not only of the external appearance and behavior of the Jews but also of their self-concept. The Revolution presented, first to the wealthy elite of the Jewish population, a new vision of what was socially and culturally possible. Through the power of the state and the Jewish institutions that would succeed the disbanded autonomous communities, that vision would be translated into methods of socialization designed to produce patriotic French Jewish citizens, fully at home in French culture and loyal to a Judaism consonant with French citizenship.

Because even a political event that assumed the mandate of creating a new national community and regenerating human beings as citizens was unable to emancipate the Jews with one stroke of the pen, the process of Jewish emancipation in France in the last decade of the eighteenth century revealed much of the ambivalence that Jews would encounter in their confrontation with the modern nation-state. The logic of Enlightenment thought, which promoted both religious tolerance and the essential sameness of all human beings, necessitated conferring civic equality upon the Jews, but the dominant voices in the Enlightenment often confused equality with uniformity. Since cultural pluralism was not a value among most thinkers of the French Enlightenment, with the notable exceptions of Montesquieu and Count Mirabeau, even the proponents of Jewish emancipation advocated emancipation confident that Jews would dissolve their particularism in the universalist culture of the new society. Jews thought otherwise and sought to retain elements of Jewish particularism consonant with French citizenship. It fell to Napoleon, building upon the Revolution's ambivalence regarding the status of the Jews, to attempt to clarify the Jews' position in modern French society. In response to the Revolution and Napoleon the Jews of France would begin the ongoing task of defining the measure of differentness appropriate for themselves and acceptable to their fellow French citizens.