## 1 The Question of Jewish Emancipation: Russia in the Mirror of Europe

During the great debate raging in the 1880s over the Jewish role in German life – a debate said to have marked the emergence of modern anti-Semitism<sup>1</sup> – the liberal historian Theodor Mommsen complained that the 'barbarism' displayed by many of his countrymen was little better than the Russian kind.<sup>2</sup> Mommsen's was a moral judgement and he would have agreed that the situation of Germany's Jews was in every respect superior to that of their brethren in the empire of the tsars.

His observation, nonetheless, serves as a reminder that the extension of full legal rights to Germany's Jews had not led to full acceptance by their fellow-citizens, had not ended denunciations of their harmful influence on culture, economics and politics nor solved the 'Jewish Problem' which had for a hundred years been the subject of agitated controversy. What was happening in Germany was being duplicated in Austria, Hungary and in republican France whose Jews had been the first to be emancipated. There were anti-Semitic pamphlets, newspapers, books, movements and parties; riots and pogroms (Pomerania, 1881; Algeria, 1894; Galicia, 1898); ritual murder trials (Tiszar Eszlar, 1882; Xanten, 1891; Polna, 1899); the first international anti-Semitic congress (Dresden, 1882); and the Dreyfus Affair. When a Jewish captain on the French General Staff was convicted of spying for Germany in 1894, the enemies of the Jews saw this as validation of what they had long maintained: that Jews were incapable of loyal membership in the French or any national community and therefore unworthy of it.

The accusations of ritual murder and of treason were disproved. The riots and pogroms were quickly stopped. The anti-Semitic campaigns lost momentum toward the end of the century and their political successes were of limited magnitude and duration. All but a tiny handful of Jews, their allies and defenders, felt that what had happened was a temporary aberration. With the end of the long depression that had since 1873 helped

to fuel anti-Jewish sentiments, there was hope that the dark passions would subside and yield to reason, that the advance to liberty and equality would be resumed or that, at the very least, social stability and civility could be preserved and, if necessary, enforced.<sup>3</sup> This was not to be. The integration of Europe's Jews, predicated on their acculturation and assimilation, on Christian tolerance and secular enlightenment, was not a steady and irreversible process.<sup>4</sup> Instead, ancient and modern prejudices combined in a mixture of unprecedented power that exploded in the twentieth century with unprecedented destructiveness. The 'barbarism' of Mommsen's day was but a prank compared with the horrors visited in the Holocaust upon the continent's Jews, East and West.<sup>5</sup> The most dire premonitions and the darkest forebodings could not have envisioned, much less predicted, the systematic killing of 6 million human beings because of their 'race'.

For Mommsen and his contemporaries, Imperial Russia provided the definition and yardstick of barbarism and inhumanity in its treatment of Jews. After the pogrom wave of 1881–2, and even more after Kishinev in 1903 and the more massive and brutal outbreaks of 1905-6, few if any Westerners, Jews or non-Jews, saw much similarity between what was happening in their own countries and in the autocratic monarchy of the Romanovs which was thought to have instigated or tolerated these excesses of the mob. 'Pogrom' - after 'tsar' probably the Russian word most commonly found in other languages - stood as the symbol of the deep gulf that divided the two worlds of Jewry. The one consisted of free citizens of Central and Western Europe who were prospering for the most part (the chief exception being Austrian Galicia), who enjoyed virtually unrestricted access to all but a few areas of public life and who were protected in their persons and their rights, their work and worship, by the states that had emancipated them. In Russia (as in Romania) the vast bulk of Jewry did not live under laws that were indifferent to race or religion; it had emerged neither from poverty nor the disabilities – residential and occupational, civic and educational, communal and individual - that the state preserved and after 1881 extended. It was this contrast that made it possible for most Westerners to look upon the survival and reappearance of Judeophobia in their own countries as fringe phenomena, remnants of a shameful past, of medieval superstitions that were bound to disappear permanently and universally. Such expectations were strengthened when the liberal Provisional Government which replaced that of the fallen tsar in March 1917 outlawed all forms of ethnic, national and religious discrimination. Emancipation had come to Russia's Jews at last.

From the perspective of 1917 it appeared that Russia, although with some delay, had completed her advance along the road marked out by her

neighbors to the west. Indeed, for much of the period after 1772, when significant numbers of Jews first entered Russia, it is possible to trace a rough equivalence in attitudes and (up to a point) in policies toward them in East and West. It is also true that nowhere on the continent was emancipation – the liberation of the Jews from legal and physical confinement and their admission to equal citizenship with all its rights and duties – achieved easily. If in Russia it required the overthrow of the old regime, it was accompanied in most of Europe by upheavals that challenged entrenched interests and beliefs and changed the existing order.

Hatred, dislike or suspicion of Jews were present on both sides of the line that divided 'reactionary' Russia from 'progressive' Europe. Whether these sentiments are attributed to religious myths or motives or to 'modern' secular anti-Semitism, which made Jews the prime symbols of the evils and insecurities that capitalism and industrialism, social and economic displacements, brought in their train is of secondary importance to an understanding of the Russian exception. The roots of anti-Jewish feeling are deep and tangled everywhere. Its Christian elements are so strong and ubiquitous that they have been called the 'single most important factor in the continuity of anti-Jewish sentiment since antiquity' and the basis of all forms of Jew-baiting and persecution, not only of the religious kind. It is doubtful, therefore, that the assumption that Russian Orthodoxy was the most anti-Jewish of all the branches of Christianity could furnish – even if proved – the master key to the riddle why Imperial Russia did not emancipate the Jews.

To suggest that anti-Judaism was a given in both parts of the continent and to show that there was resistance to emancipation in both, is not to assert that the tsarist regime treated its Jews no worse than did the states of Europe. In every measurable way it did. Nor is it the aim of comparison to construct a scale for the measurement of good and evil. Its purpose is to provide a survey of the Russian case in the European context and by doing so to see similarities and differences more clearly, to identify the latter and to assess their weight and role in the denial of Jewish rights.

From the first calls for Jewish integration sounded in the 1780s in Prussia and France and the first steps taken towards that end by Joseph II of Austria in 1782, to the Austrian, Hungarian, German, Italian and Swiss laws and constitutions that completed the process between 1867 and 1874, emancipation did not proceed without setbacks or contention. Caution

and reluctance were present at the very beginning. The French National Assembly debated the status of the Jews for more than two years after the Declaration of the Rights of Man and the Citizen. Sephardic Jews long-settled in France received full citizenship in 1790; the more numerous and less prosperous Ashkenazic Jews of Alsace and Lorraine, where there had been complaints and attacks against them, in November 1791. And in 1808, Napoleon, heir of the revolution, violated its ideas by restricting their occupational and residence rights for ten years. If they proved themselves deserving of the dignity of French citizenship by reforming their character and harmful economic practices, it might be restored to them. The Bourbons allowed Napoleon's *Décret Infâme* to lapse and the July Monarchy completed Jewish emancipation. It was never again revoked or infringed by the French state until the Vichy regime, during its brief life, adopted racial policies similar to those of Hitler's Germany.

Almost everywhere else, the story was different. In the German and Italian states conquered by France and governed or influenced by its laws, the return of the old rulers meant a partial or full revocation of the liberties granted. In Rome, the Jews were driven back into the ghetto; Bremen and Lübeck expelled them, while Frankfurt and Hamburg reduced their rights. In Prussia, in spite of the emancipation edict of 1812, disabilities were retained or restored. Posen (Poznan), where most of Prussia's Jews lived at the time, remained subject to special regulations until 1869. In the Rhenish and Hessian provinces of the kingdom, Napoleon's decree was in force until 1847. Bavaria revived or kept some discriminatory laws until 1871 and Austria did not advance beyond the 'favors granted to the Jewish nation' in the eighteenth century until the Revolution of 1848.9

Advocates of emancipation were given pause, and its opponents ammunition, by the anti-Jewish disturbances that erupted in Bavaria in 1819 and in the course of two months spread to Hamburg and Copenhagen, to Prague and Cracow. Beyond assaults on their persons and property, there were attacks on the concessions that had been made to the Jews. These came from agitators and publicists who by predicting trouble because Jews were certain to abuse their rights and their fellow-men - had helped to bring it about. The similarities with Russian events and reactions of 1881-2 are striking. Governments, frightened by the elements of social and economic protest which they saw in the riots resisted them in the streets but yielded to them in the council chamber by temporizing or retreating when it was a question of ending Jewish disabilities. 1819 was not the last time, in Germany or elsewhere, that the 'people's wrath' against the Jews and their machinations became a specious argument or prudential reason for the denial or delay of rights, for the failure to reprove anti-Jewish words or repress anti-Jewish deeds. 10

The movement toward emancipation revived during the revolutions of 1830 and appeared to have attained its goal in those of 1848. The constitutions adopted then proclaimed that the enjoyment of the rights they guaranteed were neither limited by religion nor dependent upon it, but in the reaction that followed the defeat of the revolutionaries, the constitutions they had won were abrogated or modified. Where this was not the case, administrative arbitrariness diminished or threatened Jewish rights. Austria reimposed restrictions on the acquisition of real estate, residence rights, state service and the employment of Christian domestics; Prussia, by declaring Christianity to be the basis of government, barred Jews from many public posts; the Bavarian chambers voted economic and marriage restrictions.

The post-1848 reaction neither went as far as had the post-Napoleonic one nor did it last as long.<sup>11</sup> 1848, although a failed revolution, brought closer the liberal idea of the state which claimed the exclusive allegiance of its subjects and in return for their subordination of prior and higher loyalties (to social estate or corporation, to region or religion) accepted them as citizens with equal rights and duties. A liberalism whose high ideals had proved inadequate in 1848 now included national unity, power and prosperity in its program and demanded the inclusion of all who could contribute toward those goals. For their sake, and for the sake of liberal help in reaching them, conservatives too, if neither unanimously nor wholeheartedly, accepted the necessity of Jewish emancipation. By 1870, it was an all-but-accomplished fact. Since humanitarian and constitutional doctrines demanded it, Jewish assimilation and reason of state justified it, economic expansion and utility favored it, Europe's governments had come to accept it as inevitable. Their most authoritative word on the subject was spoken at the Congress of Berlin in 1878. Recognizing the independence of Romania, Bulgaria, Serbia and Montenegro, the great powers, over Russian objections, also exacted from these states guarantees of full civil and political equality for citizens of all faiths. 12

As Europe moved in one direction, Russia was moving in the other and after the pogroms of 1881–2 placed new restrictions on the Jews. Historians of Russian Jewry have interpreted these and later measures less as a reversal than as a continuation of long-established practices. They pointed out that Muscovy, chiefly for religious reasons, had rarely tolerated the presence of Jews, anxiously circumscribed the activities of those admitted by way of exception and repeatedly expelled them. As late as 1742, the Empress Elizabeth had ordered that all Jews who refused to convert to Orthodoxy should leave the empire. To complaints from inhabitants of the western border regions and Ukraine that they and the exchequer would be damaged by the removal of Jewish traders and agents,

the tsarina replied that she desired no profit from the enemies of Christ.<sup>13</sup>

Catherine the Great (1762–96) deferred action on petitions for the reversal of Elizabeth's decree for she did not wish to 'offend a devout nation and clergy' while her hold on the throne was still insecure. Even when her usurpation of it was forgotten and her foreign origin no longer mattered, the enlightened 'Semiramis of the North' did not again address the question as to whether Jews were to be allowed in Russia. It was during her reign also that the foundation was laid for the vast ghetto that became known as the Pale of Permanent Jewish Settlement and that was to keep Jews out of the Russian heartland. Recent studies have seen Catherine's laws and acts in a different light. They have been judged remarkably progressive by the standards of the time, making Russia, in some respects, a pioneer of Jewish emancipation and the empress 'the first sovereign in Europe to extend to Jews equality with her Christian subjects'. 15

Just as emancipation in the West was not a smooth progression to a preordained goal, the history of Russian Jewish policy was not cast in an iron mold or predetermined by the past. At its beginning it was not radically different in inspiration, methods or results from what Prussia or Austria were doing in their parts of partitioned Poland, and it was the large number of Polish Jews which the three monarchies acquired in 1772, 1793 and 1795 that forced them to confront the Jews as an urgent problem of law and administration. The question no longer concerned only a few hundred or thousand individuals but hundreds of thousands and it was not amenable to purely moral or intellectual solutions. A host of factors besides the like or dislike of Jews influenced policy.

This was as true at the end as at the beginning of Catherine's reign. Her refusal in 1791 to allow Jewish merchants to enroll in the merchant guilds of inner Russian cities and the decree of 23 June 1794 which first defined the areas where Jews could trade and settle (upon payment of a double tax) were largely a response to protests from competitors who had traditionally been protected from foreign interlopers. Although Jews in the newlyacquired territories were Russian subjects, Catherine, who had been greatly frightened by the French Revolution, thought it best to keep out importers of foreign books and ideas, and not to provoke the native merchant class which she saw as a potential source of disaffection. These actions ran counter to the main trend of her policy which had between 1772 and 1785 placed her new subjects on a footing of equality with Christians of the same estates - merchants and townsmen. The relatively few Jews (about 30 000) acquired in the first Polish partition were allowed the free exercise of their religion, a large measure of communal self-government, representation in the elective posts of towns in equal proportion to every other group and confirmed in their business and property rights. In view of this, their later exclusion from certain regions and corporations was discriminatory. At the same time, it was unusual neither in the Russian nor the European context and it affected a much larger number of Jews as a result of the partitions of 1793 and 1795.

Russian law did not recognize a right of free movement until 1785, and then only for nobles. The enrollment of any merchant or townsman in the corresponding corporation or guild of another city required administrative approval and usually the agreement of the guilds. Their opposition and that of local officials could prevail over the laws or determination of the central government. Thus, in spite of a ruling from St Petersburg, Christian (mainly Catholic) burghers in formerly Polish cities managed by chicanery and intimidation to keep Jews both from voting in municipal elections and from occupying as many offices as they were entitled to hold.<sup>17</sup>

The strongest motive for Catherine's liberality had been the contribution she expected the Jews to make to the growth of towns and commerce. Economic considerations were also present - too much so, Moses Mendelssohn thought<sup>18</sup> - in the Austrian edict of toleration of 1782. It aimed explicitly at 'improving' the Jews and at reducing to a minimum the differences between them and non-Jews. Jews were to be made 'useful and serviceable to the State, mainly through better education and enlightenment . . . as well as by directing them to the sciences, arts and crafts'. 19 This and later edicts (1789, 1797) left disabilities that weighed heavily on the lower classes, and most had Russian counterparts: special taxes, restrictions on taking up residence in the capital and other cities as well as limitations on marriage and on the number of Jews allowed to live in Bohemia, Moravia and Silesia. In Galicia, Jews were forbidden to lease manorial lands, to sell liquor or keep inns in villages on pain of removal from the countryside. As the Russians had learned, not all such orders were enforceable or enforced, but as late as 1853, the half million Jews of Galicia lost the right to acquire real property and did not recover it (as had those in other parts of the Habsburg monarchy) until the constitution of 1867. Only ten years before its adoption, the establishment of new Jewish communities was forbidden in Lower Austria. Even afterwards, inequities survived in the local laws and practices of Galicia.<sup>20</sup>

Frederick the Great dealt with the 25 000 Jews, most of them poor, who found themselves his subjects after 1772 by pushing back into Poland as many as he could, perhaps 7000 in all.<sup>21</sup> His successor thought this neither humane nor possible. After the third partition of 1795 there was no longer a Poland and Prussia had by then a total of 125 000 to 150 000 Jews or about four to five times as many as before 1772.<sup>22</sup> Their communal

privileges were curbed, as were their numbers, by expelling those who had not been resident in the new territories at the time of occupation and by allowing marriage only at the age of 25 and on certain conditions. Measures were taken to force them out of their traditional and 'harmful' occupations, such as money lending, peddling and the liquor trade. The aim was to make them less Jewish, more German and more 'useful'; the method to let them become artisans and mechanics, farmers and dairymen, to engage them in commerce and transport. They would be helped to form agricultural settlements and encouraged to set up factories, workshops and schools. The legislation of 1797 which provided for these blessings implied a promise of acceptance if Jews became acceptable. So did the directives of 1833 which offered naturalization to all Posen Jews who qualified by virtue of property, education, length of residence, adoption of German speech and dress. The rest remained 'tolerated' subjects with limited rights. In 1846, 80 per cent of the Jews of Posen and 33 per cent of all Prussian Jews had not yet been granted citizenship.<sup>23</sup>

Reform and control, inducement and coercion – the two faces of enlightened absolutism – also appeared in the first comprehensive effort undertaken in the reign of Alexander I (1801–25) to define the confused legal status of Russia's Jews.<sup>24</sup> The Jewish Statute of 1804 was informed by Prussian and Austrian models and by an earlier Russian project which wished to remake the Jews 'politically and morally, *in conformity with the example set by other enlightened peoples*'.<sup>25</sup> If adopted, the project would have forced them to abandon their 'parasitic' occupations and their disdain for physical labor, their medieval obscurantism and isolation for a life of reason and productive pursuits.

Enlightenment, opportunities for a secular education, and the privileges promised to would-be farmers, manufacturers and craftsmen were the statute's most positive and novel features. Jews could now attend Russian schools of all levels and aspire to the highest degrees without having to fulfill any other condition than the wearing of Western dress. Especially deserving contributions to knowledge or to the state were to be recognized by honors and rewards. Parents who did not want their children to attend the general primary schools were free to finance their own in which the teaching of Russian, Polish or German was to be obligatory. The use of one of these languages was required in commercial or public documents and transactions as was its mastery by communal officials and rabbis. Besides being allowed in certain provinces (the Pale, in effect) to buy or lease land that was not settled by peasants, Jews were promised tax exemptions, land and loans to establish agricultural colonies and factories. Only in the villages, from which the statute barred them after 1808, were they

forbidden to trade in spirits. Within two years, every Jew was to enroll in one of four 'classes' or estates: merchant, townsman, manufacturer and craftsman, or agriculturalist.

The statute extended to all Jews the protection of the laws 'equally with all other Russian subjects'. It also reiterated Catherine's injunction that they were not to be hindered in the observance of their faith nor persecuted because of it, but it did not repeat her formula entitling Jews to all the 'privileges and rights appropriate to their calling and fortune without distinction of origin or religion'. That omission may have foreshadowed later developments; it was not an irrevocable turning point. Nor did the statute differ from Austrian and Prussian precedent in its goal of 'normalizing' the condition of the Jews. The committee which had drafted it declared that its guiding thought had been to raise the Jews from moral and civic degradation, to give them the means for enlightenment and an honest livelihood and to 'bring their way of life ever closer to uniformity with that of their fellow citizens'.<sup>27</sup>

It is not surprising that the committee and the emperor did not follow the example of revolutionary France. Their failure to reaffirm a principle Catherine herself had compromised may not have been a conscious or deliberate act. There was much in the welter of laws and rules of which the committee's members were ignorant. More importantly, Russian administrators during the preceding two decades had come to see the Jews more as a threat to social peace than as agents of economic development. That was clearly reflected in the statute's preamble, cast in the form of an imperial wkaz:

Because We and the Ruling Senate have received frequent complaints of abuses and disorders that are damaging to the agriculture and trades of the provinces inhabited by Jews, We have found it necessary . . . to appoint a special committee to inquire into these matters and to choose means for the betterment of the present condition of the Jews.<sup>28</sup>

The emperor, the preamble continued, had found the statute's precepts to be just and to be based equally on a clement concern for the welfare of the Jews, in those provinces where they were allowed to live, and the needs of their 'original' (korennye) populations. This first distinction made in an official document between natives and Jews did not and was not intended to change the legal status of the latter. Yet it expressed a sentiment, not unknown in other countries, that persisted and was not diminished either by the severe or the lenient, and always inadequate, measures of the Russian state to make the Jews less alien and to integrate them.

The good intentions as well as most strictures of the 1804 statute remained a dead letter. The government did not devote enough attention, money or manpower to the cultural and occupational transformation it envisioned. Those who were to be transformed were kept by their own poverty and traditions, by legal and social barriers, from effecting it. Nor did the statute bring order and clarity to the laws governing the rights and duties of Jews and their relationship to public authority. That task was taken in hand by Nicholas I (1825–55) whose ideals of good order in state and society derived from the barracks and the parade ground.

In essence, the Jewish Statute of 1835 restated the principles and expectations of 1804.<sup>29</sup> It gave assurance that the same laws applied to Jews as to other Russian subjects 'in all cases not specifically provided for in this statute'; it set definite boundaries for the Pale; it reaffirmed property, occupational and educational rights and encouraged colonization by additional grants of land and tax concessions. A minimum age was set for marriage (18 for males, 16 for females) and in a return to Catherine it allowed for equality of participation in municipal self-government. That concession, as had been true when it was first made, provoked emphatic protests in the affected towns and was amended to exclude Jews from certain offices altogether and to restrict their representation in public bodies to no more than one third of the total. What was to have been a clear and coherent code of Jewish law was neither. Of greater significance for the future were the conscription edict of 1827 and the Kiselev reforms of the 1840s.

P. D. Kiselev, Minister of State Domains, had been charged with the task of reviewing complaints that held the Jews responsible for the misery of Ukrainian and Belorussian peasants. He quickly submitted proposals for the lessening of repression, because it was futile, and for beginning 'on the example of other states . . . the fundamental transformation of this nation, i.e., the removal of those harmful factors that obstruct its path to the general civil order'. The speed with which Kiselev's program was prepared and adopted by his colleagues and the emperor, suggests that the European policies being recommended for imitation were familiar and acceptable, in their goals if not in their methods. Although Russian methods, in general, were apt to be harsh and in this case damaging to most Jews, a small group of 'enlighteners' (maskilim) welcomed the government's initiative. They too were guided by the experience of Europe and hoped that making the Jews less different would bring them closer to Russian society and prepare them for admission to it.

Jewish particularism and peculiarity were to be reduced by removing the autonomy and taxing powers of the communities and abolishing their

executive organs, the *kahals*; by opening state-supervised schools; by dividing the Jewish population into useful and non-useful categories; by assigning public lands for agricultural colonies and prohibiting the wearing of traditional dress. The laws designed for the realization of this program failed in their purpose. Again, there was not enough money or personnel, will or willingness. The putative beneficiaries saw losses rather than gains in the ministrations of a ruler whose good intentions they had learned to distrust.

Nicholas was not merely the first tsar to force Jews into uniform by the recruit law of 1827. He made them alone draftable at the age of 12, rather than the standard 20, in the barely-concealed hope of conversion and without offering the prospect of civic rights that followed service in other countries. Because of that and the likelihood of forced baptism, the difficulty or impossibility of religious observance and contact with other Jews, twenty-five years in the army (the normal term) were rightly viewed as a punishment rather than as a civic duty. Nicholas himself saw service in that light when he insisted in 1841 that non-useful Jews be conscripted at five times the regular quota.

Kiselev had borrowed the notion of sorting the Jews into two groups from Prussia. In 1846, the government explained that the policy was made necessary by the failure of its previous efforts and favors to bring about the 'fusion' of the Jews with the rest of the population or to end their exploitation of it. Although Kiselev had realized the futility of coercion, it was now to be used again to force poor Jews – money-lenders, petty traders, middlemen, taverners – to become 'productive' artisans, farmers, members of a merchant guild or townsmen with a permanent urban residence. In short, they were ordered no longer to be poor and to leave their marginal occupations for more honest and rewarding ones which would, presumably, make them respectable members of society. Aside from the patent impossibility of effecting such a radical shift by decree, it was also beyond the government's means to determine in which category each male Jew should be placed. Reclassification – announced, begun and postponed several times – was finally abandoned.

Abolition of the kahal in 1844 was no more effective than a less rigorous provision of the 1804 statute in removing legal-administrative distinctions between Jews and Christians. Although the former were to have recourse to the general courts, were subjected to the authority of the general police and, for economic and tax matters, to local governments, their communities retained important functions. They assessed and collected taxes, provided recruits and still judged their members in rabbinical courts. Primarily for reasons of administrative convenience, the inclusion of Jews

in the estate-occupational categories of the general population was incomplete. Dual membership of an estate (albeit with lesser rights) and a Jewish community perpetuated separateness and minority status. Western governments had been more resolute in abolishing Jewish self-rule.

What results, if any, were obtained from a money fine to discourage the wearing of 'Jewish dress' is impossible to tell. That the government's colonization policy must be accounted a failure is clear. <sup>31</sup> Secular Jewish schools, funded by a tax on Sabbath candles, came only a little closer to meeting the expectations of the government and the maskilim. There were some seventy schools by 1855, with an enrollment of about 3500 and a curriculum which included, besides the Jewish religion and the Hebrew language, Russian, German, arithmetic, geography, history and calligraphy. A few hundred Jews attended Russian schools and a few dozen studied in Russian universities. The students and graduates of these institutions and the most successful guild merchants – perhaps no more than 5000 individuals in all<sup>32</sup> – could be held up as proof that Russian Jews, like those of other countries, were capable of 'betterment'. In that respect the policies of Nicholas I prepared the ground for the more liberal ones of Alexander II (1855–81).

Never before or after the first half of his reign, was there such wide agreement in the higher bureaucracy that the Jews had to be dealt with in a spirit of 'rapprochement' (sblizhenie), of 'fusion' or 'amalgamation' (sliianie). These frequently used words, though vague, denoted an acceptance of the necessity or desirability of assimilation and civic equality. Differences, however, arose over which was to come first and revealed the reservations that also surfaced in Western debates over emancipation and delayed it. The emperor sided with those who argued that it must be a graduated process and proceed in step with the intellectual and moral improvement of the Jews, their liberation from religious 'fanaticism', the reform of their communal life and their adaptation to useful pursuits. The methods employed were very different from those of Nicholas, but the idea of sorting survived. Instead of threats and punishments, opportunities and privileges were now offered to 'differentiate from the general mass of the Jewish population individuals who are distinguished by virtue of wealth and education'.33

In 1856, the drafting of child recruits – some had been taken as young as 9 – was stopped, as was conscription for tax delinquencies. Merchants of the first guild (approximately 500 owners of substantial businesses or capital) were entitled from 1859 to live anywhere in the empire with their families, clerks and servants. Two years later, the right of residence outside the Pale was bestowed on holders of advanced degrees (who also became

eligible for state service); in 1865 on artisans, mechanics and their apprentices; in 1879 on all graduates of higher educational institutions, pharmacists, dentists and midwives. Jews could elect, and be elected, to the zemstvos (county and province councils) introduced in 1864. The municipal statute of 1870 also gave them the vote but still barred them from the office of mayor and limited them to one third the number of councillors. The judicial reform of 1864 made it possible for them to become lawyers and judges. For a brief period, a few Russian Jews enjoyed easier access to public positions of prominence than did their coreligionists in several European countries.

To those who wanted and those who opposed it, emancipation seemed to be near. The future proved both groups wrong, but as late as 1888, well into the period when the liberal initiatives of the previous reign were being repudiated, the majority of a high level commission, voicing earlier hopes and assumptions, recommended gradual emancipation to Alexander III (1881-94).34 In making it gradual, and thereby conditional, Russian proponents of emancipation were not alone. Explicitly or tacitly, its Western heralds, like their governments, had linked the admission of Jews to full citizenship to their reformation, to the abandonment of their Jewishness or its substantial attenuation. Dohm, Mirabeau and Grégoire agreed that their integration depended more on themselves than on the Christians.<sup>35</sup> For Grégoire, the long-range goal was conversion and even Wilhelm von Humboldt, the most consistent and courageous spokesman for Jewish equality in Prussia, 'believed that assimilation had to be, if not a condition, a necessary consequence of emancipation'. 36 Nor was a selective approach unique to the empire of the tsars. In the West too, emancipation began with the granting of privileges to the privileged of wealth and education and may, initially, have been intended as no more than that.

Yet for all the similarities and parallels between the two worlds, tsarist Russia did not in the end follow the example of Europe. And that fundamental and irreducible difference leads back to the question: 'Why?'

The Russian answer would most likely have been not that Russia was different, backward or benighted but that her Jews were. 'Believe me,' Nicholas I's Minister of Education said, 'if we had such Jews as I met in the capitals of Germany, we would treat them with the utmost respect'. At the Congress of Berlin, Prince Gorchakov instructed the representatives of the other powers that they should not confuse the Jews of Berlin, Paris, London and Vienna – 'who cannot be denied civic and political rights' – with those of Russia, Serbia and Romania. In 1881, a St Petersburg newspaper declared the 'low degree of intellectual and moral development of the Jewish masses' to be the chief obstacle to their rapprochement with

the rest of the population.<sup>39</sup> That note was sounded again in 1904 by a minister who professed that he wanted the more prosperous, capable and assimilable Jews to remain in Russia and hoped that millions of 'undesirables' would emigrate.<sup>40</sup>

It is easy to recognize such statements as variations on a universal theme, to demonstrate how much of disingenuousness and faulty logic they contain. Was it not the denial of rights that helped to keep the Jewish masses poor and ignorant, separate and alienated? Their deplorable condition was, nonetheless, a fact; it had been a fact at the time of the Polish partitions, it remained one afterwards and it had a direct bearing on the issue of emancipation. Even statesmen who thought that the perpetuation of Jewish misery and depravity was a consequence of the government's actions were at a loss to find a ready and certain cure. Almost to a man, those who determined the nation's policies were convinced that the problem of the Jews could not be solved simply by lifting their legal disabilities. However much that view was shaped by fear and prejudice, it had correlates and objective grounds – in Jewish numbers, in an underdeveloped economy, in the structure and values of Russian society and government – that were absent or weaker in the West.

## Notes and References

(Please see page 283 for List of Abbreviations.)

## 1 THE QUESTION OF JEWISH EMANCIPATION

1. J. Katz, From Prejudice to Destruction (Cambridge, Massachusetts: 1980) p. 245.

2. H.-U. Wehler, Bismarck und der Imperialismus (Cologne: 1969) p. 471.

3. H. Rosenberg, Grosse Depression und Bismarckzeit (Berlin: 1967) pp. 88-117.

4. A concise working definition of these terms is given by E. Mendelsohn, *The Jews of Central Europe* (Bloomington, Indiana: 1983) p. 2:

acculturation (by which is meant the Jews' adoption of the external characteristics of the majority culture, above all its language) and assimilation (by which is meant the Jews' efforts to adopt the national identity of the majority, to become Poles, Hungarians, Romanians 'of the Mosaic faith', or even to abandon their Jewish identity altogether).

5. I am using 'Europe' and 'West', as did Russians, to refer to the countries of Central as well as Western Europe.

6. A. Funkenstein, 'Anti-Jewish Propaganda: Pagan, Christian and Modern', Jerusalem Quarterly, 19 (1981) pp. 65–72; F. Golczewski, Polnisch-Jüdische Beziehungen, 1881–1922 (Wiesbaden: 1981) p. 6; S. Lehr, Antisemitismus – religiöse Motive im sozialen Vorurteil (Munich: 1974) p. 235.

- 7. R. Pipes, 'Catherine II and the Jews', SJA 5, no. 2 (1975) p. 4. Some students of the Russian Church hold that rising hostility to Jews in late Imperial Russia was due to secularization, the decline of Church influence and of Christianity. See D. V. Pospielovsky, 'The Jewish Question in Russian Samizdat', SJA 8, no. 2 (1978) pp. 4–5, 14–15.
- 8. A. G. Duker's introduction to B. D. Weinryb, Jewish Emancipation Under Attack (New York: 1942) pp. 8–30 surveys the history of emancipation. For Germany, and a discussion of the concept, see R. Rürup, Emanzipation und Antisemitismus (Göttingen: 1975); for Prussia, H. Holoczek, 'Die Judenemanzipation in Preussen', in B. Martin and E. Schulin (eds) Die Juden als Minderheit in der Geschichte (Munich: 1981) pp. 131–60; for France, P. Girard, Les Juifs de France de 1789 à 1860 (Paris: 1976); for Austria, W. Häusler, 'Toleranz, Emanzipation und Antisemitismus', in N. Vielmetti (ed.) Das österreichische Judentum (Vienna: 1974) pp. 83–140. R. Mahler (ed.) Jewish Emancipation (New York: 1942) is a selection of documents.
- 9. Mahler, Jewish Emancipation, p. 18.

10. Katz, From Prejudice to Destruction, pp. 102-4; Rürup, Emanzipation, p. 22.

11. S. W. Baron, 'The Impact of the Revolutions of 1848 on Jewish Emancipation', JSS, 11, no. 3 (1949) pp. 195-248.

12. Mahler, Jewish Emancipation, p. 61.

13. S. M. Dubnov, *History of the Jews in Russia and Poland* (Philadelphia: 1916–20) 1, pp. 242–61; Iu. Gessen, *Istoriia evreev v Rossii* (St Petersburg: 1914) pp. 1–19; Sh. Ettinger, 'Historical and Political Factors in Soviet Anti-Semitism', in J. M. Kelman (ed.) *Anti-Semitism in the Soviet Union* (Jerusalem: 1980) 2, pp. 45–7; Baron, *The Russian Jew* (New York: 1964) pp. 1–15.

- 14. The territories acquired as a result of the Polish partitions were incorporated at the beginning of the nineteenth century into the following provinces (gubernii; singular: guberniia): Vitebsk, Minsk and Mogilev; Vilna, Grodno and Kovno; Kiev, Volynia and Podolia. Until 1840, the first three were referred to as the Belorussian (White Russian) and the second group as the Lithuanian gubernii. After that year, they were called the western gubernii. In 1863, Vilna, Grodno and Kovno were designated as the North-west Region (severozapadnyi krai), with a Governor-General at Vilna; and Kiev, Volynia and Podolia, with a Governor-General at Kiev, as the South-west Region (iugozapadnyi krai). These nine provinces, sometimes referred to as the 'Polish' provinces, plus Bessarabia, Ekaterinoslav, Poltava, Tavrida, Kherson, Chernigov and the ten provinces of the Kingdom of Poland are usually included in the term Pale of Permanent Jewish Settlement - cherta postoiannoi evreiskoi osedlosti. Since the Kingdom of Poland (or Congress Poland, assigned to Russia by the Congress of Vienna) was administered separately from the rest of the empire and the legal status of its Jews differed from that in Russia proper, only the fifteen Russian gubernii, strictly speaking, made up the Pale. It is with their Jewish inhabitants and those of the interior Russian provinces that the present work is concerned.
- 15. Pipes, 'Catherine II', p. 4: J. D. Klier, 'The Ambiguous Legal Status of Russian Jewry in the Reign of Catherine II', SR, 35, no. 3 (1976) pp. 504–17.
- 16. Demographic data for this period are notoriously unreliable and vary from source to source. According to EJ, 13, p. 731, pre-partition Poland had between 7500 000 and 900 000 Jews. Of these, it has been calculated, Russia received the largest share, between 320 000 and 400 000; Prussia the smallest, between 175 000 and 185 000 (but see note 22 below) and Austria between 260 000 and 315 000; cf. A. Springer, 'Enlightened Absolutism and Jewish Reform', CSS, 11 (1980) p. 240. Pipes estimates that there were 600 000 Jews in Russia in 1796 but does not indicate whether this figure includes the Kingdom of Poland. Ia. Leshchinskii, 'Evreiskoe naselenie Rossii i evreiskii trud', in Kniga o russkom evreistve (New York: 1960) p. 183, gives a figure of 1.2 million for 1815, including Poland. In 1904, the Jewish Colonization Society (EKO) arrived at these numbers for Russia alone: 1.04 million in 1847, nearly 3 million in 1881 and 3.5 million in 1897. the inclusion of Poland brings the total to 5.2 million. EKO, Sbornik materialov (St Petersburg: 1904) 1, p. xviii–xxiii.
- 17. Pipes, 'Catherine II', pp. 11 and 16–17; and Klier, 'Ambiguous Legal Status', pp. 508 ff.
- 18. See Häusler, 'Toleranz', p. 84.
- 19. Mahler, Jewish Emancipation, p. 18.
- 20. Springer, 'Enlightened Absolutism', pp. 252–8; Häusler 'Toleranz', p. 84–9; JE, 5, p. 552; S. Joseph, Jewish Immigration to the United States (New York: 1914) pp. 77–9.
- 21. W. W. Hagen, Germans, Poles and Jews (Chicago: 1980) pp. 46-7.
- 22. The lower figure is from M. Richarz (ed.) Jüdisches Leben in Deutschland (Stuttgart: 1986) 1, p. 27, the higher one from Dubnov, Weltgeschichte des jüdischen Volkes (Berlin: 1925–30) 8, p. 17. Both conflict with the numbers cited in note 16. Matters are confused further by Holeczek who writes ('Judenemanzipation', p. 138) that the number of Jews in Prussia almost doubled in the reign of Frederick II (1740–86) to reach 'about 60 000 gainfully employed individuals'. EJ, 13, pp. 1290–92 states that there were 2100 Jewish families in Prussia in 1749, that through the first partition of Poland Prussia's Jewish population almost doubled and that the second and third partitions added about 53 000 and 75 000 respectively for a total of 124 000 in 1816.
- Springer 'Enlightened Absolutism', pp. 247-51; Holeczek, 'Judenemanzipation', pp. 151-2; I. Freund (ed.) Die Emanzipation der Juden in Preussen (Berlin: 1912) 2, p. 509;
  P. S. Wandycz, The Lands of Partitioned Poland (Seattle: 1974) p. 15; Hagen, Germans, Poles and Jews, pp. 103-4.
- 24. Citations to the first (PPSZ) or second (VPSZ) collection of laws will give volume numbers, the number of the law or decree and page references to the compilation of

- V. O. Levanda, *Polnyi khronologicheskii sbornik zakonov i polozhenii kasaiushchikhsia evreev* (St Petersburg: 1874). Thus, the 1804 statue is *PPSZ* 28, no. 21 547/Levanda, pp. 53–60.
- 25. Springer, 'Gavriil Derzhavin's Jewish Reform Project of 1800', CASS, 10, no. 1 (1976) pp. 1–24. Emphasis added.
- 26. Pipes, 'Catherine II', p. 3.
- 27. M. Rest, Die russische Judengesetzgebung (1772-1804) (Wiesbaden: 1975) pp. 229-40.
- 28. PPSZ, 28, no. 21 547/Levanda, pp. 53-4.
- 29. VPSZ, 10, no. 8054/Levanda, pp. 359–74. In discussing the policies of Nicholas I, I have made extensive use of the excellent study of M. Stanislawski, *Tsar Nicholas I and the Jews* (Philadelphia: 1983).
- 30. Stanislawski, Tsar Nicholas I, p. 44. Emphasis added.
- 31. On colonization, see Chapter 5, section I.
- 32. This figure is derived from Stanislawski, *Tsar Nicholas I*, pp. 167, 100–1. In 1851, there were 27 469 Jews registered in the three merchant guilds. More than 95 per cent belonged to the third guild which was abolished in 1863 and whose members had only modest capital holdings and businesses. Membership in the first guild required a declared capital of at least 15 000 rubles and in the second 5000–7000 rubles. The student numbers are described by Stanislawski as rough estimates.
- 33. Count N. D. Bludov, head of the Jewish Committee, quoted by Gessen, *Zakon i zhizn'* (St Petersburg: 1911) p. 112. On the reforms of Alexander II, see Gessen, *Istoriia*, pp. 267–99 and Dubnov, *History* 2, pp. 154–77.
- 34. See Chapter 4, section I and the following works of I. M. Aronson: 'Russian Bureaucratic Attitudes Towards Jews, 1881–94', Ph.D. dissertation, Northwestern University (1973) pp. 58–60; 'The Attitudes of Russian Officials in the 1880s Toward Jewish Assimilation and Emigration', SR, 34, no. 1 (1975) pp. 1–18; 'Nationalism and Jewish Emancipation in Russia: The 1880s', Nationalities Papers 5, no. 2 (1977) pp. 167–82; 'The Prospects for the Emancipation of Russian Jewry during the 1880s', SEER 55, no. 3 (1977) pp. 348–69.
- 35. On Christian Wilhelm Dohm, Count H. G. R. de Mirabeau and the Abbé Henri Grégoire see I. E. Barzilay, 'The Jew in the Literature of the Enlightenment', JSS, 18, No. 4 (1956) pp. 243–61; also R. F. Necheles, 'The Abbé Grégoire and the Jews', JSS, 33, no. 2–3 (1971) pp. 120–40.
- 36. See H. Arendt, 'Privileged Jews', JSS, 8, no. 1 (1946) p. 23.
- 37. Stanislawski, Tsar Nicholas I, p. 45.
- 38. Dubnov, *History*, 2, p. 202; J. Silver, 'Some Demographic Characteristics of the Jewish Population in Russia at the End of the 19th Century', *JSS*, 42, no. 3–4 (1980) pp. 269–80, concludes that the major factor in Jewish population growth was not fertility, which was higher in the general population, but a relatively low mortality level.
- 39. Novoe Vremia, 15 June 1881, cited by Klier, 'The Times of London, the Russian Press and the Pogroms of 1881–82', Carl Beck Papers in Russian and East European Studies (University of Pittsburgh), no. 308 (1984) p. 6.
- 40. T. Herzl, *Theodor Herzl's Tagebücher*, 1895–1904 (Berlin: 1924) 3, p. 478. See Chapter 4, section I.
- 41. Jean-Paul Sartre, Réflexions sur la question juive (Paris: 1946) p. 15.
- 42. Baron, A Social and Religious History of the Jews (New York: 1937) 2, p. 234.
- 43. When statistics were published in 1880 to show that the spectre of a mass of impoverished Jews descending upon Germany from the East was a fiction, Adolf Wagner, a leading anti-Semite and co-founder with Adolf Stoecker of the Christian Social Party publicly admitted that he had been in error. See Theodor Mommsen's Aufsätze und Reden (Berlin: 1905) p. 413.
- 44. Girard, Les Juifs de France, pp. 21-30, 44-57; Baron, History, 2, p. 226.
- 45. Rürup, Emanzipation, pp. 22-3; Holeczek, 'Judenemanzipation', pp. 151-2.
- 46. Dubnov, Weltgeschichte, 9, p. 138.