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"An Analysis and Translation of Selected
Documents of Napoleonic Jewry"

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AN ANALYSIS AND TRANSLATION OF
SELECTED DOCUMENTS OF NAPOLEONIC JEWRY

by

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Submitted in partial fulfillment
of the requirements for Ordination

Hebrew Union College - Jewish Institute of Religion
Cincinnati, Ohio

March 13, 1957

Referee:
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THESIS DIGEST

The core of this study of Napoleonic French Jewry is the translation into English for the first time (except for Document I-D) of thirty-four French and German documents which shed light on the forces at play in a rapidly developing society and the attitudes of the administration and of French Jewry. It is impossible to derive a clear and valid picture of the history of any period without access to its documents. The purpose of this thesis is to put certain significant documents bearing on Napoleonic Jewry within the grasp of history students who might not otherwise be aware of them or who might not be able to read them in their original languages.

Part I is a collection of eighteen letters and decrees of the imperial government set within a discussion of the historical background of the period and an analysis of the documents. Thus Part I serves as a foundation for Parts II, III, and IV, respectively translations of documents of the local governments, the Central Consistory, and the local consistories. The notes to the latter three parts provide a vital running commentary to the texts selected. The documents translated for the purposes of this thesis were selected as best conveying the impression produced by a study of the total collections of Napoleonic Judaica which may be found in the libraries of Harvard University and Hebrew Union College.

A reading of this thesis is intended to demonstrate, from the evidence of contemporary documents, that certain

popular conceptions about the Napoleonic period in Franco-Jewish history are without foundation. While it is true that Napoleon did organize and grant legal status to French Jewry, it is not true that this was a step forward in the process of Jewish political and social emancipation. While it is true also that the consistories which emerged from this period provided leadership for a previously disorganized Jewish community, it is not true that this leadership, whether by choice or by coercion, acted in the best interests of its adherents. The inevitable conclusion of this study is that Napoleon and the influence which he had on French Jewry served temporarily to reverse the process of emancipation and permanently to develop debilitating attitudes in the minds of the Jews of France.

TABLE OF CONTENTS

Introduction	Page 11
The Fateful Years	Page v
A Franco-Jewish Chronology: 1806-1808	
Part I	Page x
Basic Documents of the Central Government: Texts, Background, and Analyses	
Part II	Page 89
Selected Documents of the Prefectural Governments	
Part III	Page 100
Selected Documents of the Central Consistory	
Part IV	Page 116
Selected Documents of the Local Consistories	
Summary	Page 145
Notes	Page 149
Bibliography	Page 165

Each of the parts of this thesis has its own table of contents on the pages designated above.

The notes to Parts II, III, and IV of this thesis are intended as a running commentary to the texts of the documents translated; they should be read concurrently with the documents.

INTRODUCTION

On February 9, 1807, by order of Napoleon I, Emperor of the French and King of Italy, forty-six French and Italian rabbis and twenty-five laymen were called to order as the first Jewish Sanhedrin in seventeen centuries. This Napoleonic Sanhedrin stimulated my curiosity as an undergraduate in the history department of Harvard College. The result was a thesis entitled The Emancipation of the Jews of France: From Mendelssohn to the Sanhedrin. Since the submission of that thesis, I have become aware that the process of Jewish emancipation in France did not conclude with the Napoleonic Sanhedrin. If anything, that august convocation and the even more august monarch who brought it into existence reversed the process of Jewish emancipation. In 1808 a series of laws were passed which treated French Jewry in an exceptional manner and removed it from the equality of French citizenship which it had won in 1791.

In the summer of 1956, while looking for material for a paper stimulated by historical insights derived from the incisive lectures of Dr. Ellis Rivkin of Hebrew Union College, I came across two collections of pamphlets published by the Franco-Jewish community of the Napoleonic era in Harvard's Widener Library. Reading through them, I began to regret that there was hardly anything available in English in the way of source material from this era; I realized that I had derived a far more accurate understanding of the era from this French material than I had had before. When I returned to Cincinnati,

I was informed by Mr. Herbert Zafren, the very helpful Administrative Secretary of the Hebrew Union College Library, that the library had recently purchased a rather large collection of nineteenth century French Jewish documents which I would be free to study. As soon as I began to examine these documents, I realized that I could choose no better nor more interesting topic for a thesis than a translation and an analysis of the more important of these documents.

The first significant action taken by Napoleon in connection with the Jews of France was the promulgation of the Decree of May 30, 1806, declaring a moratorium on all debts held by Jews of the Rhenish departments against Frenchmen. That same decree ordered the convocation of the Assembly of Jewish Notables for later that same year. It is from this point that this study begins.

The years 1806 through 1808 proved to be the most eventful and decisive years for the Franco-Jewish community up to that time. The product of these fateful years was the organization of the Central Consistory of Israelites and its subordinate local consistories which together governed French Jewry after 1809. The documents translated and discussed in this paper cover the events of 1806 to 1808, the birth of the consistories, and the earliest activities of these consistories. It is the hope of the author that students of this significant period in Jewish history will be enabled to derive valuable insights through access to these

documents in English translation.

At this time I want to express my thanks to Dr. Ellis Rivkin who guided me in my research and pointed out to me the processes at work in the developing French and Jewish societies of the early nineteenth century so that the details which I discovered fit into a rational pattern. I want to thank also Mr. Herbert Zafren for allowing me to work with the valuable collection of documents which are the basis of this study. And finally I want to express my gratitude to Mr. Martin Cohen who was always available for consultation as to the precise meanings of difficult French passages.

Cincinnati, March 13, 1957.

THE FATEFUL YEARS

A Franco-Jewish Chronology: 1806-1808

1806

- January Napoleon visits Strasbourg on his way back to France from the Austrian campaign; Christian deputations complain about Jewish usurers.
- February An article by de Bonald, an anti-revolutionary and anti-Semite, appears in the Mercure deprecating the work of the Constituent Assembly in general and the granting of Jewish equality in particular. In the article, the word Synhedrion appears.
- April (early) Napoleon introduces the Jewish problem into the deliberations of his Council of State. The young Comte Louis-Mathieu Molé is assigned to prepare a report on the condition of French Jewry with suggestions as to a course of action.
- April 30 The Jewish problem is brought up in the Council of State again, Napoleon presiding. Molé delivers his report which is unfavorable to the Jews. Beugnot speaks for civil equality and liberal treatment of Jews; Napoleon speaks out against Jews. Regnault and Ségur speak appeasingly of Jews.
- May 7 The Council of State meets again. Napoleon speaks of Jews in milder terms; first proposes an assembly of Jews.
- May 30 A decree is issued declaring a moratorium on debts due to Jews in Alsace and an assembly of Jewish notables.
- July 22 A decree is issued setting forth twelve questions for the deliberation of the Assembly of Notables and appointing three imperial commissioners.

- July 23 The Minister of the Interior sends letters to all the Jewish notables informing them of the time and place of the first meeting.
- July 25 The Moniteur prints an account of Jewish history in honor of the Assembly. The article points out that Talmudic legalism is the stumbling block in the way of Jewish progress.
- July 26 (Sabbath) The Assembly of Notables meets in the Paris Hôtel de Ville. Abraham Furtado of Bordeaux is elected president.
- July 29 The second meeting. The imperial commissioners officially deliver the twelve questions.
- July 30-August 3 A commission, composed of the president, secretary, auditors, Rabbis Sinzheimer, Andrade, de Cologna, Segre, and two laymen, works on the questions.
- August 4-12 Discussion in the Assembly over the answers to the various questions.
- August 15 The Assembly celebrates Napoleon's birthday with hymns of praise in the Synagogue of the Rue Ste. Avoye.
- August 23 Napoleon sends a letter to de Champagny with instructions for the imperial commissioners. He sets forth the answers demanded of the projected Sanhedrin.
- September 18 The imperial commissioners come to the Assembly, accept the twelve answers, and announce the calling of a Great Sanhedrin. Assembly is directed to select a committee of nine to meet with the imperial commissioners to prepare for the Sanhedrin. Elections to the committee begin.

- September 23 Elections to the committee (three members each from the Portuguese, German, and Italian French Jews) are completed. Proclamation prepared to be sent to all the Jewish communities of Europe inviting them to send delegates to the Sanhedrin.
- September 24-26 Balloting for the 25 lay members to attend the Sanhedrin.
- November 29 Napoleon sends a letter to de Champaign delineating work to be done by the projected Sanhedrin and work to be done by the Council of State to solve the Jewish problem.
- December 9 The report of the Committee of Nine is presented to the Assembly; report includes organic ordinance of French Jewry delineating organization and functions of consistories and rabbis. Lengthy debate followed by vote and acceptance of the ordinance.
- December 18 Committee named by Assembly to meet with commissioners to discuss action to be taken at lapse of moratorium of May 30, 1806.

1807

- February 5 Speech by M. Avigdor in the Assembly anticipating opening of Great Sanhedrin and introducing, after a review of history, a resolution of praise to the Roman Church for its benevolence to Jews over the centuries.
- February 9 The Great Sanhedrin holds its first meeting; Rabbi David Sintzheimer presides by order of the Minister of Interior. Rabbi Segre named Ab-beth-din; Rabbi Cologna named Hakham. Prayer service followed by sermons praising Napoleon by Furtado and de Cologna.

- February 16 Sanhedrin adopts rules of conduct and begins deliberation of the doctrinal decisions prepared for it by the Committee of Nine and the imperial commissioners.
- February 16-March 2 All nine articles and the preamble to the doctrinal decisions are read, discussed, voted upon, and adopted.
- March 9 Furtado reads a letter from the imperial commissioners thanking the Sanhedrin for transmitting its doctrinal decisions to them and authorizing the Sanhedrin to adjourn. Sintzheimer delivers a closing address; Sanhedrin adjourns.
- April 6 The Assembly of Notables, having reconvened after the adjournment of the Sanhedrin, itself adjourns.
- April 9 De Champagny sends a letter to Napoleon requesting that he personally approve the Assembly's organic ordinance and that he provide for the selection of consistorial members. Also included in this letter are proposed regulations, as requested by Napoleon, relative to Jewish conscription, debts owed to Jews, and the regulation of business transactions by Jews.
- April 25 Napoleon refers de Champagny's suggestions and the organic ordinance back to the Council of State for deliberation.
- May 10-June 13 Council of State deliberates acceptance of the organic ordinance and the regulations included in de Champagny's letter.
- June 13 Council of State approves the organic ordinance with several amendments and adopts the definitive text of the decree relative to conscription and commercial transactions among Jews.

1808

February 29

After lengthy and puzzling delay, the texts of the three decrees are transmitted to Napoleon by the Council of State.

March 17

Napoleon signs and issues the three decrees organizing and regulating the future of French Jewry.

June 16

First decree of specific exemption from the harsh provisions of the infamous decree of March 17.

July 20

Napoleon signs and issues a decree regulating the names which Jews may adopt.

December 11

Napoleon signs and issues the Madrid Decree establishing the various Jewish consistories.

PART I

BASIC DOCUMENTS
OF THE CENTRAL GOVERNMENT:
TEXTS, BACKGROUND, AND ANALYSES

- I-A Decree of Moratorium; May 30, 1806
Page 1
- I-B Letter from Napoleon to the Minister of the
Interior Relative to the Twelve Questions;
August 23, 1806
Page 7
- I-C Note Relative to the Sanhedrin from a Letter
from Napoleon to the Minister of the Interior;
November 29, 1806
Page 20
- I-D The Organic Ordinance of December 10, 1806
(First Decree of March 17, 1808)
Page 32
- I-E Additions and Amendments to the Organic
Ordinance (Second Decree of March 17, 1808)
Page 39
- I-F Regulation of Commercial Transactions and
Residences (Third Decree of March 17, 1808)
Page 42

- I-G Decree Establishing Jewish Consistories;
December 11, 1808
Page 55
- I-H Decree of Exception of Leghorn Jews; June
16, 1808
Page 57
- I-I Decree of Exception of Basses-Pyrénées Jews;
July 22, 1808
Page 57
- I-J Decree of Exception of Jews of Fifteen
Departments; April 11, 1810
Page 58
- I-K Decree Formalizing the Exception of Parisian
Jews; December 26, 1813
Page 59
- I-L Decree Allowing Previously Established Jewish
Residences in Leghorn; February 9, 1811
Page 61
- I-M Decree Relative to the Names of Jews; July
20, 1808
Page 70
- I-N Decree Changing the Name of a Jew; June 15,
1812
Page 76
- I-O Circular from the Minister of the Interior to
the Prefects Relative to Acceptable First
Names; September 28, 1813
Page 77
- I-P Decree Relative to Consistorial Installations;
October 19, 1808
Page 81
- I-Q Letter from the Minister of Cults to the Pre-
sident of the Coblentz Assembly of Notables;
January 31, 1809
Page 83

I-R Decree Confirming Coblenz Consistorial
Elections; April 13, 1809

Page 84

IMPERIAL DECREE ¹

containing a moratorium relative to judgments rendered in favor of Jews against farmers who are not engaged in commerce in several departments of the Empire.

At the Palace of Saint-Cloud,

May 30, 1806.

Napoleon, Emperor of the French, King of Italy;

Due to the report which was made to us that in several of the northern departments of our Empire certain Jews, not having any other profession than that of usury, have, by the exacting of the most immoderate interest, put many farmers of the country into a state of great distress;

We have decided that we must come to the aid of those of our subjects who have been reduced to these grievous extremes by unjust greed;

These circumstances have, at the same time, made us aware of how urgent it is to revive sentiments of civil morality among those who profess the Jewish religion in the countries under our jurisdiction, sentiments which have, sadly, disappeared among a very great number of them due to the state of degradation in which they have so long languished, a state which it is not at all among our intentions to maintain nor to renew;

For the accomplishment of this plan, we have resolved to convene an assembly of the foremost Jewish notables² and

Document I-A

to communicate our intentions to them by means of commissioners whom we shall name for that purpose. This assembly shall arrive at a consensus of the methods which it deems to be the most expedient in order to re-establish among its brothers the exercise of the arts and of the useful professions, the object being to replace, by honest industry, the shameful expedients to which many among them have devoted themselves from father to son for several centuries;

For these reasons,

On the report of our Grand Judge the Minister of Justice and of our Minister of the Interior;

Our Council of State in agreement,

We have decreed and do decree that which follows:

Article 1. The enforcement of all judgments or contracts, other than simple acts of extension, against non-commercial farmers in the departments of Sarre, Roër, Mont-Tonnerre, Haut- and Bas-Rhin, Rhin-et-Moselle, and Vosges, in which titles have been endorsed by these farmers to Jews, is hereby suspended.

2. There shall be formed on July 15 next³ in our good city of Paris an assembly of individuals who profess the Jewish religion and who live in French territory.

3. The members of this assembly, according to the numbers stated in the attached table, shall come from the departments named therein, and they shall be chosen by the

Document I-A

prefects from among the rabbis, the land owners, and other Jews who are distinguished by their integrity and their intelligence.

4. In the other departments of our Empire, which are not named in the table and where there live from one hundred to five hundred individuals of the Jewish religion, the prefect may name one deputy; from five hundred to one thousand, he may name two deputies; and so on.

5. The deputies chosen shall arrive in Paris before July 10 and shall make their arrival and their addresses known to the secretary of our Minister of the Interior who will inform them as to the place, the day, and the hour when the assembly will open.

6. Our Minister of the Interior is charged with the execution of this decree.

Signed, Napoleon

For the Emperor:

The Secretary of State, signed, H.B. Maret

TABLE, by departments, of the number of Jews to be sent to the assembly from among individuals who profess the Jewish religion, the meeting of whom was ordered by His Majesty:

Document I-A

Names of Departments	Number of Deputies to be Sent	Remarks
Haut-Rhin	12	
Bas-Rhin	15	
Mont-Tonnerre	9	
Rhin-et-Moselle	4	
Sarre	1	
Roër	1	
Moselle	5	
Meurthe	7	
Vosges	7	
Gironde	2	
Basses-Pyrénées	2	
Vaucluse	2	
Côte-d'Or	1	
Seine	6	
	<hr/> 74	

A true copy:

The Secretary of State, signed, Hugues B. Maret

In January of 1806, while returning from his Austrian campaign of 1805, Napoleon stopped briefly in the city of Strasbourg for a visit. While there, he gave audiences to several deputations of destitute farmers and petty land owners who complained that they were deeply in debt to Jewish usurers. They painted a grim picture of what would happen if the Jews took possession of all the lands mortgaged to them. They also made it quite clear that there might soon be a popular uprising against the Jews which would lead to great bloodshed.

It is clear that Napoleon was impressed by these complaints and threats. "The French government cannot stand by indifferently," he said, "while a contemptible and degraded nation which is capable of the lowest deeds assumes exclusive ownership of the two beautiful departments of old Alsace."⁴ Napoleon gave the problem much thought, and in early April of 1806, he submitted the problem to his Council of State. Molé, an avowed enemy of the Jews, was appointed to write a report for the Council on the conditions of French Jewry with suggestions as to the course of action which the government should follow.

On April 30 the Molé report was presented to the Council of State. Not only was it harsh in its attitude toward Jewry, but the whole tone of the report was anti-liberal. Three of the liberals in the Council, Beugnot, Regnault, and Ségur, took issue with the report and tried to appease Napo-

leon concerning the Jews. The Council met several times in April and May to discuss the problem of Jewish usury and mortgages in the Rhenish departments. Napoleon himself was present at most of these discussions and took an active part. It was he who first proposed the convening of an assembly of Jews.

The result of these discussions was the Decree of May 30, 1806, declaring a one year moratorium on debts owed to Jews in certain departments and ordering the Assembly of Jewish Notables. This decree, designated Document I-A in this thesis, was the first enactment of the Napoleonic government in regulation of French Jewry. Up to this point, French Jewry had existed in a semi-autonomous fashion; they constituted a threat to the highly centralized administration of Napoleon. They were the vestiges of a pre-capitalistic society.

The years 1806 through 1808 witnessed the reconstitution of French Jewry. The Decree of May 30, 1806, was the first step toward that reconstitution. As provided for in the decree, there convened a Jewish Assembly of Notables in Paris on July 26, 1806. By the terms of an imperial decree of July 22, 1806,⁵ Molé, the younger Portalis, and Pasquier were named imperial commissioners to the Assembly and twelve questions were posed to the Assembly. These questions -- answered properly -- were to be the foundation of a reconstituted French Jewry.

Document I-B

Rambouillet, August 23, 1806⁶

Monsieur Champagny,

I am sending you notes which will clarify for you the direction which I wish to give to the assembly of Jews and that which my commissioners delegated to that assembly should now do.

Napoleon

Notes Attached To The Preceding Letter

Since the conquest of Jerusalem by Titus, there has never been the opportunity for such a great number of enlightened men belonging to the religion of Moses to meet together; there have always been demands on these dispersed and persecuted Jews for special fees, abjuration of their religion, and other pledges or concessions equally contrary to their interests and their faith. The present situation of these Jews has no similarity to any preceding era in their history. It is demanded that these Jews neither abandon their religion nor make any modification which might be repugnant to the letter and spirit of their religion.

When they were persecuted or hidden to escape persecution, various kinds of doctrines and customs were introduced. The rabbis arrogated to themselves the right to interpret the principles of the faith whenever there was an opportunity for interpretation. But the right of religious legislation may never be given to an individual; it may only be exercised by a general assembly of Jews legally and freely

Document I-B

convened and including Spanish and Portuguese, Italian, German and French Jews, representing the Jews of over three quarters of Europe.

Consequently, the first thing to do might be to re-constitute the assembly now convened in Paris into a great sanhedrin whose laws will be placed on an equal footing with the Talmud, to be articles of faith and principles of religious legislation.

When this first thing is accomplished, all the Jews, of whatever nation they might be, will be invited to send delegates to Paris and to participate, through the wisdom of their delegates, in the operations of the Great Sanhedrin. Consequently, there shall be issued, by some sort of proclamation, notification to all the synagogues of Europe.⁷ This notification will be addressed officially to the synagogues of France. The decisions which will be arrived at in answer to the questions proposed⁸ will then be converted into binding theological decisions or precepts which have the force of ecclesiastical and religious law and which will compose a second body of legislation for the Jews which, while conserving the essential character of that of Moses, will adapt itself to the current situation of the Jews, to our morals and to our customs.

The following questions have been proposed, namely:

1st Question. Is it lawful for Jews to marry several women? -- It is necessary that a negative response be

Document I-B

definitely enunciated and that the present assembly or the Great Sanhedrin forbid polygamy in Europe.

2nd Question. Is divorce permitted by the Jewish religion? Is divorce valid without having been issued by civil courts but rather by virtue of laws contradictory to the French people? -- It is necessary that the assembly, constituted as the Great Sanhedrin, forbid divorce except in those cases permitted by civil law or the Code Napoléon, and that divorce not be permitted to take place without having previously been issued by the civil authority.

3rd Question. May a Jewess marry a Christian or a Christian woman marry a Jew? Or does Jewish law direct that Jews only marry among themselves? -- It is necessary that the Great Sanhedrin declare that religious marriage may not take place except after having been issued by the civil authority and that Jews and Jewesses may marry Frenchmen and Frenchwomen. It is also necessary that the Great Sanhedrin recommend these unions as a means of protection and convenience for the Jewish people.

4th Question. In the eyes of the Jews, are Frenchmen considered their brothers or foreigners? -- The Sanhedrin, recognizing, as did the assembly, that Frenchmen and Jews are brothers, shall establish this principle: that Jews are the brothers of the inhabitants of every country where they are granted not only toleration but protection and where they are admitted to the enjoyment of all the privileges con-

Document I-B

nected to political and civil existence. It is in this area that there exists the basic difference between French and Italian legislation and the legislation of the other countries.

5th Question. In either case, what are the duties which the law prescribes for them in their relationships with Frenchmen who are not of their religion? -- The answer to this question will depend on the answer to the above question.

6th Question. Do Jews, born in France and treated by the law as French citizens, regard France as their homeland; do they feel the obligation to defend France, to obey her laws and to follow all the provisions of the Civil Code? -- It is necessary that the Sanhedrin declare that Jews must defend France as they would defend Jerusalem since they are treated in France as they would be treated in the holy city; that no more than half the Jews drafted may buy themselves free of service each year and that the others must serve personally.

7th Question. Who appoints the rabbis? -- It is necessary that the Sanhedrin decide by whom rabbis shall be appointed, how they shall be organized and payed, and that the Sanhedrin establish in Paris a council of rabbis the members of which will be recognized as the superiors and the surveillants of the Jews. This committee, resident at Paris, may be called the Committee of Rabbis or any other name.

Document I-B

8th Question. What police jurisdiction do the rabbis exercise among the Jews? What judicial power do they exercise among them?

9th Question. Are the forms of election of rabbis and police jurisdiction regulated by Jewish law or simply sanctioned by custom? -- The Sanhedrin shall enact the necessary laws to determine the method of election of rabbis, their functions and their jurisdiction, etc.

10th Question. Are there professions which Jewish law forbids?

11th Question. Does Jewish law forbid Jews from practicing usury in dealings with their brothers?

12th Question. Does it forbid them or does it permit them to practice usury in dealings with foreigners? -- The Sanhedrin shall forbid usury in dealings with Frenchmen and in dealings with the inhabitants of every country where the Jews are admitted to the enjoyment of civil law. It shall, therefore, interpret the law of Moses to the effect that Jews must consider all those places where they are citizens to be just as if they were in Jerusalem; that they are foreigners only in those places where they are mistreated and harried by virtue of the law of the land, and that it is only in these places that illicit profit may be tolerated by their religious law. When this point shall have been enacted by the Sanhedrin, it will be possible to re-examine the situation to discover if there are effective means to restrain and check

Document I-B

this disposition toward financial speculation, this organization of fraud and usury.

All of the above is only meant to serve as instruction to the commissioners; they will understand what is desired and will look for the best means of accomplishing it in conference particularly with the most influential members of the assembly. When their ideas are organized, they will be submitted to the assembly; they will say that I am satisfied with the zeal that animates them; they will make it understood that the current circumstances are extra-ordinary; that I desire to use every means to assure that the rights which were restored to the Jewish people are not illusory, and, finally, to enable them to find Jerusalem in France. They shall ask that there be formed a committee of nine members chosen from among the most enlightened members of the assembly with whom they can work and produce great results. This committee will report to the assembly. The first report will have as its object the formation of a great sanhedrin.

Napoleon

At first glance it would appear that the above letter from Napoleon not only asked the questions of the Assembly of Notables but that it answered them as well. This, however, is not really the case. The Assembly of Notables was presented with the Twelve Questions by the three imperial commissioners on July 29, 1806; the Assembly deliberated the answers that it would give to the questions between July 30 and August 12; the above letter from Napoleon with the answers which he demanded is dated August 23. The primary significance of this letter to de Champaigny is that it officially proposes the convening of the Great Sanhedrin for the first time.

It is obvious from the wording of the answers drafted by Napoleon that he had already seen the answers agreed upon in the Assembly. He meant his letter to be guidance for the imperial commissioners in their dealings with the proposed committee of nine which was to prepare the work of the Sanhedrin. It is impossible to state authoritatively, though, that the answers arrived at by the Assembly were purely the products of the general will. The initial work on these questions was done by a committee of the Assembly of which Rabbi David Sinzheimer was the chairman; it was he who did most of the work. The crucial question is: to whom did this committee first submit its completed work, to the imperial commissioners or to the Assembly. The German historian Graetz seems to be speaking with some authority when he says: "[Sinzheimer]

completed his task to the satisfaction of his colleagues, of the imperial commissioners, and eventually of the emperor (July 30 till August 3). His report was submitted to the commissioners, who reported it to the emperor before it was brought up for public discussion."⁹

Graetz does not divulge his source for this most important statement. What contemporary sources there are leave the matter open to question. Furtado, the president of the Assembly of Notables, realized when he appointed the committee at the meeting of July 29 that there might be some feeling among the assembled deputies that the committee would decide upon the answers and submit them to the approval of the imperial commissioners before submitting them to the deputies for deliberation. "Before adjourning the meeting, the president said that it was hardly necessary for him to state to the assembly that no response would be sent to the commissioners of His Majesty without the assembly having previously discussed it and deliberated on it."¹⁰ If this were the sole contemporary source, then the statement of Graetz would have to stand on its own dubious merit. But there is one other rather curious source extant.

The original French edition of the volume by Diogène Tama on the Assembly of Notables and the Great Sanhedrin has an introduction which is omitted in the English translation by F.D. Kirwan. In this introduction, Tama gives two reasons for having undertaken the task of recording the proceedings

of the Assembly and the Sanhedrin. The first is a very flowery expression of gratitude for the benefactions of Napoleon. The second is "... the desire to correct certain errors of reporting which sometimes seem to create uncertainty as to the importance of the transactions of the assembly ...and sometimes seem to suggest errors of which the assembly was incapable.

"On the one hand, in the Moniteur of August 29, 1806 (page 1079, column 3), there are two different statements which have produced false opinions.

"One states that the assembly...on the preceding day had named a committee charged with having relations with the commissioners of His Imperial and Royal Majesty relative to the various official communications.

"It is good to be able to state that this first error is acknowledged in the Moniteur of September 7 following:

'It is not within the functions of the committee to communicate with the commissioners to the assembly, these latter communicating equally with all the Jewish deputies.'

"The second assertion of the Moniteur of August 29 stated: 'The committee has already proposed the solution of the twelve questions adopted by the assembly.'

"The issue of September 7 acknowledges that 'the committee is uniquely charged with preparing the work and directing the discussions of the assembly relative to the various communications which are directed to it by the commis-

sioners of His Majesty.'

"One need not be surprised that the editor, concerned with so many other important matters at the time, allowed these two errors, which he later corrected, to pass....

"It is necessary to take into account the promptness with which he corrected those reports which tended to create the impression that the assembly had somehow handed over all its prerogatives to certain of its members, and that by means of this, the assembly had, forgetful of its dignity, neglected to carry out the intentions of His Imperial and Royal Majesty and to act in the interests of those whom they represented."¹¹

It is sufficient to note here that there was obviously a heated controversy in 1806 as to whether or not the prerogatives of the deputies to the Assembly were usurped by Rabbi Sinzheimer and his committee. The protestations of Tama and the very ambiguous quotations offered in evidence by him plus the reassurances offered the Assembly by Furtado all suggest that Graetz may have had some reliable source for his statement that the Assembly's committee presented its answers to the imperial commissioners for approval before it allowed them to be presented on the floor of the Assembly for deliberation.

From the day that Napoleon wrote the above letter first suggesting the convening of the Great Sanhedrin, there

has been much speculation as to his motives. The contemporary translator of Tama, F.D. Kirwan, suggested that Napoleon's "...motives for calling that Assembly were his love of money, his fondness of theatrical pomp, his plans on the east, and his extensive system of espionage."¹² In 1813, E. Gifford, the English editor of Napoleon's memoirs, offered the opinion that the Assembly, the Sanhedrin, and the questions "...were nothing more than a blind to the real intentions of Napoleon, who, considering the Jews as a very numerous body both in Germany and in Poland, was anxious to acquire popularity among them for the furtherance of his political schemes..."¹³ The theory that Napoleon intended to use the Sanhedrin as an instrument of espionage and as a means of creating a mass of individuals loyal to him in the countries east of France is not the idle theorizing of historians. At the same time that plans were being laid for the first meeting of the Sanhedrin, Prince Metternich of Austria was the ambassador to France.

Metternich was possibly the most astute political observer of early nineteenth century Europe. In a lengthy essay entitled La Police Autrichienne et le Sanhedrin de Napoléon,¹⁴ written by N.M. Gelber and based on original documents, it is shown that Napoleon's enemies attached great importance to the political potentialities of the Sanhedrin. Austrian agents watched every development of the Assembly and the Sanhedrin. "Although Metternich realized perfectly well that the main object of the meeting of the

Assembly of Notables was to regulate relations between the Jews and the government of France, he could not prevent himself, due to the simple fact that Napoleon invited all the Jewish congregations of Europe to send representatives to the Sanhedrin, from concluding that Napoleon had far more extensive political ends in mind."¹⁵ In a report to his superior, Count Stadion, dated September 24, 1806, Metternich wrote: "The impulse has been given; the Israelites of all lands are looking toward this Messiah who seems to be freeing them from the yokes under which they find themselves; the object of all this empty talk (for that is all that it is) is not at all to loosen the reins for those citizens who profess this religion in the countries under French domination, but to prove to every nation that its true homeland is France."¹⁶

Aside from the first mention of a Sanhedrin in Napoleon's letter, the most significant paragraphs are the answers that he demanded of the projected Sanhedrin. These demands cannot be considered harsh when one realizes that Napoleon's answers corresponded almost entirely with the answers arrived at by the Assembly a few weeks earlier. Of course, this is only true if one accepts Tama's view that there was no collusion between the Assembly's select committee and the imperial commissioners based on the will of Napoleon as later formulated in the above letter of August 23, 1806. In any event, it would be wrong to leave the discussion of that letter without noting the one major area of

disagreement, albeit timid disagreement, between the will of Napoleon and the answer rendered by the Assembly and later adopted by the Sanhedrin.

One question which was of the utmost importance for Napoleon was question three: May a Jewess marry a Christian and may a Christian woman marry a Jew? As may be seen from the text of the above letter (page 9), not only did the emperor insist that these marriages were valid, but he added that the Great Sanhedrin must "...recommend these unions as a means of protection and convenience for the Jewish people." It is clear that Napoleon was not satisfied with the answer that the Assembly gave to this question. The Assembly, after a bitter struggle,¹⁷ accepted the validity of these marriages, but it did not recommend them. To their credit, they had the courage to say that French rabbis "...would be no more inclined to bless the union of a Jewess with a Christian or a Jew with a Christian woman than Catholic priests would be disposed to sanction unions of this kind."¹⁸ Inter-marriage was the foremost method to be employed in the Napoleonic program of Jewish emancipation which was, as we shall see, actually a program of forced or encouraged assimilation.

For the guidance of the imperial commissioners and his Council of State, Napoleon sent a second letter, dated from Posen, November 29, 1806, to de Champagny. This letter was composed mainly of imperial reflections on the Sanhedrin:

Document I-C

Note Relative to the Sanhedrin¹⁹

I. In order to proceed in an orderly fashion, it is essential to begin by declaring that there are, in the laws of Moses, religious provisions and political provisions; that the religious provisions are immutable but that this does not apply to the political provisions which are susceptible of modification; that it is only the Great Sanhedrin which can establish this distinction; that during the whole period that the Jews dwelt in Palestine and formed the body of a nation, their political circumstances were the same as during the time of Moses and the Great Sanhedrins of old were in no position to make this distinction; that, since the Israelites left their homeland, there has not been any Great Sanhedrin. After the declaration of these principles will come the application.

1. Polygamy was permitted; it must cease being permitted among those Jews who are scattered in the Occident, though it may yet exist among those of the Orient in consideration of the unique situation in which they find themselves.

2. According to the law of Moses, the Jews only regard as their brothers those who profess the same religion. That was all right as long as the Jewish people were surrounded by idolatrous people who had sworn a common hate of the children of Israel; this can stop when the situation has changed, and it is this that the Sanhedrin shall establish

Document I-C

by deciding that one must consider as brothers all men, whatever religion they profess, as long as they are not idolatrous and as long as the Jews enjoy in their midst the same rights as they do.

3. Once this fraternity is established, there must proceed from it the obligation to defend the land where the Israelites enjoy the same rights as the other citizens, just as, according to the law of Moses, they must defend the temple at Jerusalem. The Sanhedrin must make a positive law of this.

4. From the doctrine which will be established that the Jews must consider the Christians as brothers, it follows not only that marriages between Christians and Jews not be anathematized but that they be recommended because they are vital to the welfare of the nation.

5. and 6. Divorce and marriage must be subject to the previous observance of the formalities prescribed by the Code Napoleon.

7. and 8. The interpretations relative to loans at interest, insofar as possible in this project, shall be derived from the acknowledged fraternity.

9. The useful occupations.

Add to the provisions of the proposed decision an invitation to become landlords.

10. Finally, an obligation to proper conduct.

All these decisions are the concern of the Great San-

hedrin, and it is only of this section which deals with dogmas that the work prescribed by the Minister makes mention.

II. Provisions relative to organization and to discipline ought also to be decided upon, and these should be part of the work of the general assembly²⁰. Thus, the general assembly shall determine:

1. The organization of sanhedrins or administrative consistories by district and by department, the organization of a central consistory or sanhedrin, and the prerogatives of these institutions which ought to exercise severe regulation of the rabbis;

2. The number of rabbis, the manner in which they will be paid, their obligations and their prerogatives;

3. The conditions necessary in order to be authorized to engage in business and the manner in which this authorization will be granted, subject to the approval of the local authority;

4. The prohibition of any kind of business, of the right to draw up bills of exchange, of the exercise of brokerage, and of the right to keep shop for any individual who shall not have provided himself with the above authorization;

5. The prohibition for ten years to apply to all Israelites who are not able to prove that they own real estate in France of the right to lend money in exchange for mortgages, and the authorization to the owners of property to lend money on mortgages, but not in excess of the value of

Document I-C

the property which they themselves possess;

6. The obligation, in every department or district of the sanhedrin or consistory, to authorize only two marriages between Jews and Jewesses out of every three marriages, the third being between Jew and Christian; if this provision appears to be extremely difficult of execution, it will be necessary to take measures of exhortation, instruction, encouragement, and command which will lead to this goal;

7. The obligation of furnishing a number of conscripts proportionate to the Israelite population without it being possible for an Israelite conscript to provide a replacement except it be another Israelite.

Certain other provisions may be prescribed, but they will come later.

III. Among those provisions specified above, there are several which require not only self-discipline but also legislation, and for these the agreement of the Council of State is necessary. And so the Great Sanhedrin will explain the political provisions of the law of Moses and will ordain as dogmas only those matters which come under its jurisdiction. The general assembly of Israelites, acting in agreement with the administration and in consideration of the advantages which the revolution accorded to the Jews, will ordain those provisions which deal with organization and discipline. Finally, the Council of State will enact those laws necessary

for the carrying out of the provisions and the prohibitions indicated above.

There is in all of this a mixture of dogma, of discipline, and of legislation which results in the need for a Great Sanhedrin, for a general assembly of Israelites, and for mutual agreement with the public authority.

It will require much thought and discernment to distinguish precisely that which should be referred, under this plan, to the Great Sanhedrin, to the general assembly, and to the Council of State.

If legislative concurrence were necessary, it would not entail much difficulty; but it would not be possible to proceed by means of the enactment of laws since we can only arrive at the desired political results by means of civil provisions.²¹

IV. The primary objects in mind have been to protect the Jewish people, to come to the help of country districts,²² and to rescue several departments from the disgrace of finding themselves vassals to the Jews, for the mortgage of a great part of the lands of a department to one people who by its morals and by its laws forms a unique nation within the French nation is actual vassalage. It is for this reason that, in a very short time, the threatening but unalienable right of taking possession of property will have to be curbed by certain obstacles. In addition, the property ownership of Jews extends itself unceasingly by means of usury and mort-

Document I-C

gages, and it has become essential to set limits to it. The secondary objective is to weaken, if not destroy, the tendency of the Jewish people toward such a great number of practices which are contrary to civilization and to the good order of society in all the countries of the world.

It is necessary to put an end to the evil by preventing it; it is necessary to prevent it by changing the Jews.

All the measures proposed must lead to these two results. When, among every three marriages, there will be one between a Jew and a Christian, the blood of the Jews will cease to have any unique character.

When they are prevented from devoting themselves exclusively to usury and brokerage, they will accustom themselves to engage in the crafts, and the tendency toward usury will disappear.

When a proportion of the youth are required to enter the army, they will stop having specifically Jewish interests and feelings; they will assume French interests and feelings.

When they are submitted to the authority of civil law, all that will remain to them as Jews will be dogma, and they will leave their current state of affairs where religion is the only civil law, a situation which exists among the Moslems and which has always been the situation during the infancy of nations. It is wrong to say that the Jews are only degraded in those places where they are persecuted; in Poland, where they are necessary to fill the place of the middle class of society and where they are esteemed and powerful, they are

Document I-C

no less vile, dirty, and given to all those customs of the basest dishonesty.

Theorizers will doubtless propose to limit themselves to ameliorative measures in their legislation; but this will not be sufficient. Good is accomplished slowly, and a mass of corrupt blood can only be improved by time. However, people are suffering; they are crying; and the intention of His Majesty is to come to their help.

It is necessary to employ the two methods concurrently, one of which aims to put a stop to the conflagration and the other of which aims to extinguish it.

That is why it is necessary to employ at the same time the Great Sanhedrin, the general assembly of Jews, and regulatory procedures deliberated by the Council of State.

The Great Sanhedrin has the best wishes and the respect of all who are enlightened among the Jews of Europe. With this support, it has the power to expunge from Mosaic legislation all those laws which are atrocious and those which can only refer to the situation of the Jews in Palestine.

Napoleon

Whatever may have been the motives of Napoleon in convening a Great Sanhedrin, he effectively circumscribed its prerogatives by means of the instructions in the above letter, Document I-C. The Sanhedrin was only to be allowed to deliberate matters of dogma, and lest the general area "dogma" be given too wide an interpretation, Napoleon directed that the first job of the Sanhedrin would be to declare "...that there are, in the laws of Moses, religious provisions and political provisions...". The political provisions of Mosaic law were to be declared obsolete and of no effect; the religious provisions, specifically the twelve questions, were to be deliberated in consonance with the opinions previously rendered by the Assembly of Notables and the directions of Napoleon as set forth in Document I-B.

Napoleon needed the authority of a supreme legislative body within Jewry in order to establish this dichotomy and thus effectively rule out any appeal to Jewish law in contradistinction to normative French law. "It is only the Great Sanhedrin which can establish this distinction." If the Sanhedrin served any purpose at all, it was that it accepted this fundamental premise of Napoleon's. From a rabbinic point of view, such a premise was unprecedented and revolutionary. But the authority of Napoleon's will over the minds of the members of the Sanhedrin may be seen clearly through a comparison of the first paragraph of the above letter with the acknowledged basis of the decisions of this Jewish body as set forth in the preamble to its doctrinal

decisions: "Gathered together today under his [Napoleon's] powerful protection in the number of seventy-one Israelite doctors of the law, we constitute ourselves as a Great Sanhedrin so that we may have the means and the force of rendering religious rulings in conformity with the principles of our holy law and which will serve as models and examples to all Israelites.

"These rulings will show the nations that our dogmas are in consonance with the civil laws under which we live and that they do not set up any distinctions between us and the society of men.

"Consequently, we declare that Divine law, this precious heritage of our ancestors, contains religious provisions and political provisions; that the religious provisions are, by their nature, absolute and independent of circumstances and times; that this does not apply to the political provisions, that is to say those laws which have to do with government and which were intended to regulate the people of Israel in Palestine when they had their kings, their priests, and their judges; that these political provisions shall not be applicable because Israel is no longer a nation; that in declaring this distinction which has already been established by tradition, the Great Sanhedrin declares an incontestable fact."²³ The only tradition which had already established this distinction was the binding tradition of the expressed will of Napoleon .

Once the Sanhedrin had made it clear that it would

deal solely with the area of dogma and that dogma was, in fact, immutable, it left itself with a rather limited area of activity. Just exactly what this activity would be was clarified in a later paragraph of the same preamble: "Thus, by virtue of the rights which our customs and sacred laws confer on us by stating that in the assembly of a century's foremost doctors rests the power of legislation..., we shall proceed with the object of prescribing as a religious obligation obedience to the laws of the State in all civil and political matters."²⁴ This was the sole function left to the Sanhedrin and, later, to the consistories. The Sanhedrin and the consistories served very simply as an efficient means of administrative control. They functioned as administrative agencies of the state and, at least during the imperial reign of Napoleon, their first loyalty was to the State.

The above letter is the clearest formulation of Napoleon's Jewish policy. The fact that not all of the aims of the imperial policy came to fruition in no way denies the existence of a clearly defined plan of action. Very briefly, the steps prescribed by Napoleon were: 1) Mixed marriage in at least a third of all Jewish marriages, 2) Interdiction of usury and brokerage, 3) Devotion to the crafts and useful occupations, 4) Enforced conscription, and 5) Submission to the authority of civil law. Napoleon saw these five steps as leading to the total assimilation of French Jewry; by means of the decrees of March 17, 1808, he accomplished steps two

through five in a remarkably short period of time. The first step, which we can see was the dearest to his heart by the simple fact of its repetition in Document I-C three separate times, was never accomplished, though. Neither the Sanhedrin nor the consistories ever recommended marriages with Christians. There can be little doubt that if these Jewish bodies had cooperated with Napoleon in this matter that "the blood of the Jews [would have ceased] to have any unique character" and that French Jewry would have assimilated and disappeared completely.

Possibly it was due to the importance of other pressing issues, but Napoleon never attempted to enforce these mixed marriages which he said that he would accomplish by "measures of exhortation, instruction, encouragement, and command which will lead to this goal." Foreign relations and warfare occupied most of Napoleon's time in these eventful years. No sooner was the Great Sanhedrin convened with all the pomp and circumstance of imperial France, then it was forgotten by the administration, the newspapers, and the French people. The Sanhedrin endured for one short month, from February 9 to March 9, 1807; it accomplished nothing more than several grandiose speeches in praise of Napoleon and the conversion of the twelve answers of the Assembly of Notables into authoritative doctrinal decisions.

That Napoleon virtually forgot all about the Sanhedrin and his projects of amelioration and assimilation is attested to by the fact that no action was taken by the administration

for almost a year after the adjournment of the Sanhedrin. Napoleon did request during this period that his Minister of the Interior, Count de Champagny, suggest to him provisions relative to Jewish conscription, debts owed to Jews, and the regulation of commerce involving Jews. On April 9, 1807, de Champagny sent a letter to Napoleon with a list of suggested provisions and with a request that Napoleon approve the Assembly's organic ordinance of December 10, 1806. On April 25, Napoleon referred de Champagny's letter to the Council of State for deliberation. Between May 10 and June 13, the Council met several times and discussed the provisions of the organic ordinance and the special provisions requested and approved by Napoleon. By June 13 the Council of State had prepared a series of three decrees for Napoleon's approval.²⁵ The Council, though, neglected to submit these decrees to Napoleon until February 29, 1808. On March 17, 1808, Napoleon signed into law this series of decrees which was to serve as the foundation of organized French Jewry from that time forth.

The Organic Ordinance²⁶

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of the Interior;

Our Council of State being in agreement,

We have decreed and do decree that which follows:

Article 1. The ordinance decided upon in the general assembly of Jews, convened in Paris on December 10, 1806 [sic], shall be effected and appended to this decree.

Article 2. Our Ministers of the Interior and of Cults are charged, each one in that which concerns him, with the execution of this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed, Hugues B.

Maret

Ordinance

Article 1. There shall be established a synagogue and an Israelite consistory in every department containing two thousand people who profess the religion of Moses.

2. In the case where there are not to be found two thousand Israelites in a single department, the consistory will include as many contiguous departments as are necessary for the inclusion of that number. The seat of the synagogue will always be in the city which has the largest Jewish population.

3. In any case, there cannot be more than one consistory in a department.
4. No special synagogue shall be established unless it is proposed by the consistory with the proper authority. Each individual synagogue shall be administered by a rabbi and two notables, all of whom shall be designated by the proper authority.
5. There shall be one grand rabbi for each consistory.
6. The consistories shall be composed of one grand rabbi, of another rabbi or as many as are necessary, and of three other Israelites of whom two shall be chosen from among the inhabitants of the city which is the seat of the consistory.
7. The consistory will be presided over by the oldest of its members who will assume the title of Elder of the consistory.
8. There shall be designated by the proper authority in each consistorial circumscription twenty-five notables chosen from among those who contribute the most.
9. These notables shall proceed to elect the members of the consistory who must be acceptable to the proper authority.
10. No one may be a member of the consistory 1) if he is not thirty years old; 2) if he has gone through bankruptcy and has not honorably re-established himself; 3) if he is known to have practiced usury.
11. Any Israelite who wishes to take up residence in France

or in the Kingdom of Italy must give notice within three months of his arrival to the consistory closest to the place where he will establish his residence.

12. The functions of the consistory will be: 1) to see to it that the rabbis are not able to give, whether in public or private, any instruction or explanation of the law which is not in conformity with the responsa of the Assembly of Notables, converted into doctrinal decisions by the Great Sanhedrin; 2) to maintain order within the synagogues, to supervise the administration of each synagogue, to regulate the collection and the use of those funds destined for the expenses of the Mosaic religion, and to see to it that, for the sake or the pretext of religion, there not be formed without express authorization any prayer assembly; 3) to encourage the Israelites of the consistorial circumscription, by whatever means possible, to engage in the useful professions, and to make known to the authorities those who do not have any avowed means of existence; 4) to inform the authorities each year of the number of Israelite conscripts in the circumscription.
13. There shall be in Paris a Central Consistory composed of three rabbis and of two other Israelites.
14. The rabbis of the Central Consistory shall be chosen from among the grand rabbis, and the other members shall be subject to the conditions of eligibility put forth in article 10.

15. Each year the term of one member of the Central Consistory shall expire, but he will always remain eligible.
16. The annual replacement will be provided for by the remaining members. The newly elected member shall only be installed after having obtained the agreement of the proper authority.
17. The functions of the Central Consistory shall be: 1) correspondence with the consistories; 2) to see to the enforcement of the present ordinance in all its parts; 3) to submit to the proper authority all breaches of enforcement of the aforesaid ordinance, whether by intent or by oversight; 4) to confirm the nominations of rabbis, and to propose to the proper authority, when there is good reason, the dismissal of rabbis and of members of the consistories.
18. Grand rabbis shall be elected by the notables mentioned in article 8.
19. A newly elected grand rabbi cannot assume his position until confirmed by the Central Consistory.
20. No rabbi is eligible for election: 1) if he is not a native or naturalized Frenchman or an Italian of the Kingdom of Italy; 2) if he cannot obtain evidence of qualification signed by three Italian grand rabbis if he is an Italian or French grand rabbi if he is French; 3) effective in 1820, if he does not know the French language in France and the Italian language in the Kingdom

Document I-D

of Italy. One who has some understanding of Greek and Latin in addition to an understanding of Hebrew shall be preferred, other things being equal.

21. The functions of the rabbis shall be: 1) to teach religion; 2) to restrict themselves to the doctrine set forth in the decisions of the Great Sanhedrin; 3) to hark constantly upon obedience to the laws, notably and in particular to those laws relative to the defense of the homeland, and to emphasize it especially each year at conscription time, from the time of the first call from the authorities until the law is executed; 4) to endeavor to make the Israelites consider military service to be a sacred obligation and to declare to them that, during the period in which they consecrate themselves to this service, the law absolves them from any observances which they cannot reconcile with it; 5) to preach in the synagogues and to recite the prayers which shall be written both for the Empire and the imperial family; 6) to perform marriages and to declare divorces, except that in no case shall the rabbis be able to proceed in these matters without the applicants' having been duly authorized by the prior civil act of marriage or divorce.
22. The salary of rabbis who are members of the Central Consistory is fixed at 6000 francs, of grand rabbis of the consistories at 3000 francs; the salaries of rabbis of

Individual synagogues shall be fixed by the groups of Israelites who required the establishment of these synagogues. This salary shall not be less than 1000 francs. The Israelites of the respective circumscriptions may vote to augment this salary.

23. Each consistory shall propose to the proper authority a method of assessment among the Israelites of the circumscription for the payment of the salaries of the rabbis. All other religious expenses shall be determined and apportioned at the request of the consistories by the proper authorities. Payment of the rabbis who are members of the Central Consistory shall be taken from a proportionate levy on the amounts collected in the various consistories.

24. Each consistory shall designate one Israelite, not from among themselves and not a rabbi, to collect those sums which must be collected in the circumscription.

25. This collector shall pay the rabbis quarterly and shall pay any other religious expenses on presentation of an authorization signed by at least three members of the consistory. He shall present his accounts annually on a fixed date to the consistory assembled.

26. Every rabbi who, after this ordinance shall have taken effect, does not find himself employed and who desires, nevertheless, to maintain his residence in France or in the Kingdom of Italy, shall be required to adhere, by

Document I-D

means of his signature on a formal declaration, to the decisions of the Great Sanhedrin. A copy of this declaration shall be sent to the Central Consistory by the consistory which receives it.

27. Those rabbis who were members of the Great Sanhedrin shall have preference, insofar as possible, over all others for positions as grand rabbis.

A true copy,

The Minister Secretary of State, signed, H.B. Maret

Document I-E

Additions and Amendments to the Organic Ordinance²⁷

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of the Interior;

Our Council of State being in agreement,

We have decreed and do decree that which follows:

- Article 1. In order to put into effect article 1 of the ordinance enacted by the general assembly of Jews, the execution of which was ordered by our decree of today, our Minister of Cults will present to us the plan of consistorial synagogues to be established, the over-all area of each, and the seat of their administrations. He will first take the advice of the Central Consistory. The departments of the Empire which do not actually have an Israelite population will be classified in a supplementary plan among existing consistories, for, in the event that any Israelites might establish themselves in these departments, they will thus have recourse to a consistory.
2. There cannot be established any special synagogue, according to article 4 of the preceding ordinance, except by our authorization through the Council of State on the report of our Minister of Cults and with the knowledge of:
- 1) the opinion of the local consistory, 2) the opinion of the Central Consistory, 3) the opinion of the Prefect of the department, and 4) the condition of the Israelite population which will comprise the new synagogue. The

nomination of administrators of special synagogues will be made by the departmental consistory and approved by the Central Consistory. The decree establishing each special synagogue will fix its area.

3. The nomination of the notables who are mentioned in article 8 of the preceding ordinance will be made by our Minister of the Interior, based upon the suggestion of the Central Consistory and the opinion of the Prefect.
4. The nominations of members of the departmental consistories shall be presented for our approval by our Minister of Cults with the advice of the prefects of the departments included in the circumscriptions of the synagogues.
5. The members of the Central Consistory, who are mentioned in article 13 of the preceding ordinance, shall be appointed for the first time by us upon the advice of our Minister of Cults and from among the members of the general assembly of Jews or of the Great Sanhedrin.
6. The same Minister shall present for our approval the choice of the new member of the Central Consistory who shall be designated each year according to articles 15 and 16 of the preceding ordinance.
7. The work of assessment which is mentioned in article 23 of the preceding ordinance shall be organized by each departmental consistory, divided into as many parts as there are departments in the circumscription of the par-

Document I-E

ticular consistory. This plan shall be submitted for the examination of the Central Consistory and shall be executed by the prefects of the various departments.

8. Our Ministers of the Interior and of Cults are charged with the execution of this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed, Hugues B. Maret

Regulation of Commercial Transactions and
Residences of Jews²⁸

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of the Interior;

Our Council of State in agreement,

We have decreed and do decree that which follows:

TITLE I

Article 1. From the date of the publication of this decree, the moratorium declared by our decree of May 30, 1806, on the payment of debts to Jews is cancelled.

2. The aforesaid debts, however, shall be subject to the following provisions.
3. Any transaction for a loan made by Jews: to minors without the consent of their guardians; to women without the consent of their husbands; to the lower ranks of military personnel without the consent of their captains, or to the higher ranks without the consent of their corps chiefs; shall be considered void so that the holder of the debt cannot take unfair advantage. And our courts may not authorize any suits for the recovery of such loans.
4. No bill of exchange, no promissory note, and no obligation nor promise signed by one of our non-commercial subjects in favor of a Jew shall be collectable unless the holder of the debt can prove that the complete value of the note has been rendered to the debtor without any fraud.

Document I-F

5. Any debt, the capital of which shall be increased as a matter of course or the capital of which shall become entirely hidden by the accumulation of interest in excess of five per cent, shall be reduced by our courts. If the interest attached to the capital exceeds ten per cent, the debt shall be declared usurious and, thus, cancelled.
6. For legitimate and non-usurious debts, our courts are authorized to grant extensions to the debtors in conformity with equity.

TITLE II

7. From the first day of the coming July and thenceforth, no Jew shall be permitted to devote himself to any business, negotiation, or any type of commerce without having received a specific license from the Prefect of his department. This license will only be granted on the receipt of precise information and of certification: 1) from the municipal council stating that the said Jew does not devote himself to any illicit business; 2) from the consistory of the district in which he lives attesting to his good conduct and his integrity.
8. This license must be renewed annually.
9. The attorneys-general of our courts are specifically instructed to revoke these licenses on the decision of the court whenever it comes to their attention that a licensed Jew is engaging in usury or devoting himself

Document I-F

to fraudulent business.

10. Any commercial action undertaken by an unlicensed Jew shall be null and of no value.
11. The preceding shall also apply to any mortgage taken on property by an unlicensed Jew, whenever it can be proven that the said mortgage was taken in payment of a debt resulting from a bill of exchange or from any commercial enterprise whatsoever.
12. All contracts or obligations endorsed for the profit of an unlicensed Jew, in matters foreign to regular commerce, may be annulled after an inquiry by our courts. The debtor shall be allowed to prove that there was usury or some fraudulent transaction, and, if the proof is valid, these debts shall be liable either to arbitrary reduction by the courts or to annulment if the usury exceeds ten per cent.
13. The provisions of article 4, title 1, of this decree, concerning bills of exchange, promissory notes, etc., are applicable for the future as well as the past.
14. No Jew shall be allowed to lend money on collateral to servants or hired people nor to lend money on collateral to any other persons unless the document be drawn up by a notary who will certify in the document that the items were counted in his presence and in the presence of witnesses. Otherwise he shall forfeit all rights to the debtors wages, and our courts will, in such a case, be able to order free restitution.

15. Jews may not be allowed, under the same penalties, to receive the tools, utensils, implements, or clothing of day workers or servants in lieu of payment of debts.

TITLE III

16. No Jew not actually now living in our departments of Haut- and Bas-Rhin shall be hereafter admitted to take up residence there.

In the other departments of the Empire, no Jew not actually now living in them shall be admitted to take up residence except in a case where he acquires a rural property and devotes himself to agriculture, without entering into any commercial or business transactions. It shall be possible to make exceptions to the provisions of this article by means of a special dispensation from us.

17. The Jewish population in our departments shall never be allowed to supply replacements for conscription; consequently, every Jewish conscript shall be subject to personal service.

General Provisions

18. The provisions included in this decree shall remain in effect for ten years in the hope that, at the end of this period and as a result of these various measures made necessary because of the Jews, there will no longer be any difference between them and the other citizens of our Empire. But, nevertheless, if our hope is disappointed,

Document I-F

these provisions shall be extended until whatever time shall be judged convenient.

19. The Jews living in Bordeaux and in the departments of Gironde and Landes, not having caused any complaints and not ever having devoted themselves to illicit business, are not included under the provisions of this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed, Hugues B. Maret

According to the terms of the Moratorium Decree of May 30, 1806, (Document I-A) the debts owed by Alsatian farmers to Jews were to go back into effect on May 30, 1807. Up to the date that the Sanhedrin and, subsequently, the Assembly of Notables adjourned, no action had been taken by the government relative to the status of these Alsatian debts which were the avowed purpose for the convening of the two assemblages. On March 30, 1807, as the date for the resumption of these debts approached, the Prefect of Haut-Rhin sent a letter to de Champagny expressing his alarm over the impending situation. "He estimated that the debts owed to Jews in his department amounted to about ten million francs, '...an immense debt especially since it applies almost entirely to the poor laboring class and since it represents an accumulation of usurious interest and a multitude of shameful transactions...'"²⁹

The Prefect went on to describe the dangerous unrest that was growing among the debtors with the approach of the expiration of the moratorium. He expressed the fear that the Jews, having been restrained for one year from the exercise of their means of existence, would now redouble their efforts to squeeze money out of the destitute Alsations, and that these debtors might very likely put up a resistance "...which could lead to serious disorders."³⁰

On April 9, 1807, de Champagny answered the Prefect of Haut-Rhin and informed him of "...the submission to the Emperor of new plans concerning the Jews."³¹ (viz. p. 31 above)

At about this same time, Furtado, the president of the late Assembly of Notables, submitted a lengthy paper to the Minister of the Interior entitled Observations sur le sursis du 30 mai dernier et sur le mode à adopter pour le lever. Furtado was aware that something had to be done soon by the government about the Alsatian situation; he knew that it would be impossible simply to allow the moratorium to lapse. And so, after proving with actual facts and figures that the true number of usurers was very small and that the total amount owed to all Jews was much smaller than generally thought to be the case, he suggested the following procedure: 1) punishment of those guilty of usury, 2) expulsion from France and its territories after any repetition of usury, 3) immediate expiration of the moratorium in those departments where the debts were not very great, and 4) a five year extension of the debts in the departments where the most people were affected.

Furtado actually included in this paper the names of those whom he considered to be guilty of the grossest usury; he named twenty-seven Jews in Bas-Rhin, six in Haut-Rhin, and nine in Moselle and Meurthe. After each name he appended such descriptions as "very dangerous", "at the head of a company of usurers who are very dangerous through their various connections", "known for his frauds", "famous thief", and "usurer and swindler".³² Furtado was of the opinion that once these individuals were put under surveillance, the moratorium could safely lapse. But nothing was done about Fur-

tado's suggestions.

On May 28, two days before the moratorium was due to lapse, the Minister of Justice, on the advice of de Champagny and other members of the administrative council acting in the absence of Napoleon, notified all the courts and tribunals of the affected departments under the Decree of May 30, 1806, that the provisions of the decree would continue "... until His Majesty shall have ordered otherwise."³³ And so the Alsatian farmers were given an indeterminate reprieve without any official action by the Emperor who was occupied with a war against Russia at this particular time.

It was not until March 17, 1808, probably the most important date in the modern history of French Jewry, that Napoleon took action concerning the Jews. On that day he signed and issued three decrees which were to provide organization and legal status for French Jewry, but at the same time were to prove harsh and embarrassing. The first of these decrees (Document I-D) simply made the organic ordinance proposed by the Assembly of Notables law. The second decree (Document I-E) clarified and put into effect certain articles of the first decree. The third decree, which came as a shock to French Jewry and destroyed whatever illusions it may have had as to the results of the Great Sanhedrin, put these Jews, nominally equal citizens under the terms of the Constitution of 1791, under a system of exceptional legislation in matters related to commerce and freedom of movement.

The main purpose of the Assembly's organic ordinance was to set up a responsible and efficient organization for French Jewry. The system decided upon was that of consistories, the term "consistoire" taken from the organization of the Roman Catholic Church in France. These consistories were to be representative bodies empowered to transact official business and to act as liaison between the government and the Jews. They were to be Napoleon's tools for the enforcing of the decisions of the Assembly as made authoritative by the Great Sanhedrin. The first ten articles of the ordinance are purely organizational; they define the populations and areas of consistories, establish grand rabbis for each consistory, and define eligibility for the consistorial directorate.

Articles 12, 17, and 21 are the most important parts of the decree. These three articles define the functions of the local consistories, the Central Consistory, and the rabbis. The primary function of the local consistories (Art. 12, sect. 1) was to see to it that the rabbis do not give "... any instruction or explanation of the law which is not in conformity with the responsa of the Assembly of Notables...". This was their most important job -- to spy on the rabbis for the government. Each rabbi, on the other hand, was ordered (Art. 21, sects. 2, 3) "...to restrict himself to the doctrine set forth in the decisions of the Great Sanhedrin" and "to hark constantly upon obedience to the laws...".

The Central Consistory was to supervise all the local consistories and rabbis (Art. 17) and "...to submit to the proper authority all breaches of enforcement of the aforesaid ordinance, whether by intent or by oversight." Thus the decree set up a system of checks and balances with each part of the consistorial organization directed to watch carefully, on behalf of the government, over the other parts. In the matter of conscription, the local consistories were directed (Art. 12, sect. 4) to submit to the authorities the number of conscripts eligible annually. Under article 21, the rabbis were obliged to emphasize patriotism annually at conscription time and to reassure the conscripts about the qualms they might have as to breaking certain Jewish laws while in service.

The reader must be constantly reminded as he reads the various provisions of this organic ordinance that it was composed and duly voted by the Jewish Assembly of Notables themselves. Of course, the select committee of nine who worked on these regulations did their work in concert with the three imperial commissioner. Nevertheless, the committee enthusiastically presented the proposed ordinance to the Assembly, suggested unanimous passage, and refused to accept the amendments suggested. It would be unjust, though, to judge all the deputies of the Assembly by the provisions and the language of the ordinance it produced; certain members did raise their voices in protest and point out that they were accusing themselves of usury, that they were making police-

men of their religious dignitaries, that they were setting up a system of espionage for the government to check into the affairs and finances of their own people, that they were casting doubt on the devotion of Jews to France, and that, most important, by drawing the attention of the government "...most particularly to one class of individuals who profess the same religion, they were obviously establishing a civil difference on account of a religious difference."³⁴

The remaining articles of this decree are concerned with the collection of money in the consistories for the defrayal of religious expenses. The second decree, beside clarifying certain of the articles of the first decree so that final approval of all nominations to consistories rested with the government, makes mention (Art. 1) of a projected "plan of consistorial synagogues to be established." This plan was later issued in the form of the Madrid Decree of December 11, 1808 (Document I-G below). Under the terms of the first two decrees of March 17, 1808, French Jewry was now organized and legally recognized.

The Organic Ordinance of December 10, 1806, was the mea culpa of the Assembly of Notables. They had admitted the abuses of their co-religionists, and they hoped that this system of self-reform and surveillance which they had created would satisfy Napoleon. But Napoleon had been made unpleasantly aware of the immediate and pressing problems of Jewish usury in Strasbourg in 1806; he wanted a quick and sure solu-

tion. And so he decided to add temporal authority and relief by fiat to the system of reform by moral suasion and education enacted by the Jews. The result was the third decree of March 17, 1808, (Document I-F) the first article of which cancelled the moratorium on debts owed to Jews. But article 2 introduced a series of thirteen articles containing all kinds of provisions designed to prevent Jews from taking advantage of Christians in commercial transactions. These provisions made it virtually impossible for a Jew to collect a debt of which he had written proof; not only of the future was this to apply, but to debts already contracted in the past as well.

Not only did this decree seek to end usury, but it succeeded in setting the Jews apart as a separate class in all commercial transactions. Jews had to be specially licensed, and any business done by an unlicensed Jew was worthless (Arts. 7-12). This was a direct throwback to the medieval custom of princely letters-patent. Not only did this decree regulate the commercial transactions of Jews, but it acted in two other areas. Article 16 forbade any Jewish immigrant from taking up residence in the Alsatian departments and any Jew from taking up residence in any department unless he was planning to do farming. Article 17 forbade Jews from supplying replacements for military service, a practice common at that time throughout French and European society. As a result of these provisions, French Jewry found itself cut off from the constitutionally guaranteed rights of all French

citizens. Exceptional legislation had been enacted against them, and once again they had to prove that they were worthy of equality. They were given ten years (Art. 18) to prove their worthiness.

Under the terms of article 1 of the second decree of March 17, 1808, (Document I-E) the Minister of Cults was directed to present a "plan of consistorial synagogues to be established, the over-all area of each, and the seat of their administrations." The Madrid Decree of December 11, 1808, was the result of the work of organization done by the Minister of Cults, Bigot de Préameneu, with the assistance and the advice of the newly formed Central Consistory.

Under the terms of articles 18 and 19 of the third decree of March 17, (Document I-F) a time limit of ten years was set on the restrictions to Jewish commercial transactions and certain Jewish communities were specifically made exempt from the preceding provisions. These three articles of the two decrees are the basis of the next series of translations, Documents I-G through I-L.

Decree Establishing Jewish Consistories³⁵

Madrid, December 11, 1808.

Napoleon, Emperor of the French, etc., etc.;

Considering the ordinance decided upon in the general assembly of the Jews held in Paris, December 10, 1806;

Considering our decree of March 17, 1808, about the execution of this ordinance;

On the report of our Minister of Cults,

We have decreed and do decree that which follows:

- Article 1. There shall be thirteen Jewish synagogues³⁶ in the Empire and one consistory attached to each of them.
2. The circumscriptions of the synagogues are established in conformity with the table attached to this decree.
 3. In conformity with the aforesaid provisions, the seats of these synagogues are established in the communes of Paris, Strasbourg, Wintzenheim, Mayence, Metz, Nancy, Trèves, Coblenz, Creveld, Bordeaux, Marseille, Turin, and Casal.
 4. Our Minister of Cults is charged with the execution of this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed, Hugues B. Maret

Consistorial Population Chart³⁷

<u>Consistory</u>	<u>Jews in Chief City</u>	<u>Jews in Total Consistory</u>
Paris	2,733	3,585
Strasbourg	1,476	16,155
Wintzenheim	536	10,000
Mayence	1,264	11,122
Metz	2,400	6,517
Nancy	739	4,166
Trèves	261	3,553
Coblentz	342	4,063
Grevelde	160	6,218
Bordeaux	2,131	3,713
Marseille	440	2,527
Turin	1,450	2,614
Casal	790	2,929

Official Total of Jews in

France in 1808 77,162

The Exception of the Jewish Community of
Leghorn from the Provisions of the Decree of 3/17/08³⁸

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of Finance;

Our Council of State in agreement,

We have decreed and do decree that which follows:

Article 1. The Jews of Leghorn are included in the exception granted to the Jews of Bordeaux under article 19 of our decree of March 17, 1808.

2. Our Minister of Finance is charged with the execution of this decree which shall be inserted in the Bulletin of Laws.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed, H.B.Maret

Document I-I

The Exception of the Jewish Community of
the Department of Basses-Pyrénées³⁹

Title IV: Miscellaneous Provisions

Article 29. The Jews of the Department of Basses-Pyrénées are included under the exception granted by article 19 of our decree of March 17 last.

The Exceptions of the Jewish Communities
of Fifteen Departments⁴⁰

April 11, 1810.

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of the Interior;

Our Council of State in agreement,

We have decreed and do decree that which follows:

Article 1. The Jews of the following department are included in the exception granted by article 19 of our decree of March 17, 1808:

Alpes-Maritimes	Stura	Marengo
Aude	Doire	Vosges
Doubs	Sesia	Gard
P8	Haute-Garonne	Génes
Seine-et-Oise	Hérault	Bouches-du-Rhône

2. Our Minister of the Interior is authorized to suggest to us any special or individual exceptions for cities that appear to him to be of merit.
3. Our ministers are charged, each one in that which concerns him, with the execution of this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State,

signed, H.B. duc de Bassano

Formalization of the Exception of the
Jewish Community of Paris⁴¹

December 26, 1813.

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of the Interior;

Realizing that immediately after the publication of our decree of March 17, 1808, concerning the regulation of the Jews, those of our capital made petition to be included in the exception of article 19 of that decree;

That, based on the report that was made to us and the favorable testimony that was given to us concerning their conduct, we made a decision which accorded with their request;

That this decision has never been inserted in the Bulletin of Laws, although it was at the time made known to our Minister of Cults, to the Prefect of Seine, to the police, and to the Jewish community of the capital who have, ever since, enjoyed the exemption which they obtained;

Considering that this decision, not having been inserted in the Bulletin of Laws, has never been published in the accustomed form;

That, nevertheless, by means of various notifications that have been made and the publicity that followed, the Jews of our capital have been generally considered as having been placed under the exception under discussion;

That, in refusing to take notice of this, the civil and commercial transactions of these Jews become liable to suspicion;

Our Council of State in agreement,

We have decreed and do decree that which follows:

- Article 1. The Jews of the capital are included in the exception of article 19, Title III, of the decree of March 17, 1808.
2. This in no way prejudices the rights which they have been enjoying as a result of our decision of April 26, 1808.
3. Our Chief Justice, the Minister of Justice, and our Minister of the Interior are charged, each in that area which concerns him, with the execution of this decree which shall be inserted in the Bulletin of Laws.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State,

signed, H.B. duc de Bassano

Approval of Previously Established Residence
of Jews in Leghorn⁴²

February 9, 1811.

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of the Interior;

Considering the demand for naturalization made by many Jews born outside of Tuscany and admitted into the community of Leghorn Jewry by decision of the Jewish gentry previous to the union of Tuscany with France;

Considering the statute of Ferdinand II, Grand Duke of Tuscany, dated June 10, 1593, conferring certain privileges on Jews who establish themselves in Pisa or Leghorn;

Considering certain attestations of the progressive extension of these privileges to Jews living in Leghorn, having been admitted by decision of the gentry;

And, finally, considering an affidavit issued by the Court of First Instance which states "that it is true and well-known that the Jews who came to dwell in the city of Leghorn under the old governments of Tuscany, as soon as they had been voted upon and admitted by the Jewish gentry and leaders, acquired citizenship and the rights of Tuscan subjects and partook of all the civil rights and privileges accorded to inhabitants of the city of Leghorn; that they were permitted to be admitted to the function of public brokers; that one of these individuals, after March 20, 1780, sat in full garb each year as magistrate as well

as in the General Council of the commune of Leghorn, with a voice in its decisions and partaking of the same rank and of the same honors as the other members of the Council without any difference; that they were exempt, along with those who were not merchants, from certain fees under the ordinances that they passed with the other inhabitants of Leghorn; that they obtained passports in their capacities as Tuscan subjects and that they have credit with the Customs";

Considering that every request for naturalization made by Jews who were voted upon and admitted to Leghorn by the Jewish gentry before the union of Tuscany with the Empire comes under the general question of whether or not Jews born in foreign lands have, by virtue of the voting practiced under current custom, acquired the status of Tuscan subjects in Leghorn;

Considering that this point of fact is established, and that this method of naturalization, unknown elsewhere, may not be allowed to continue in the future; nevertheless, it is proper to maintain these advantages for those who acquired them prior to the union and who are, predominantly, at the heads of the foremost commercial houses of the city of Leghorn;

Our Council of State in agreement,

We have decreed and do decree that which follows:

Article 1. The Jews who, having been born in foreign lands,

established themselves in Leghorn and there were voted on and admitted by the Jewish gentry before the union of this city with our Empire shall partake, without it being necessary for them to secure new letters, of the rights and the status of French citizens.

2. The registry of votes, kept by the Jewish gentry of Leghorn, shall be handed over immediately to our Prefect of Méditerranée so that it may be closed and finished by him.
3. In the future, no foreigner, Jew or otherwise, shall be allowed to become a French subject except by means of the procedures established by the general laws of the Empire.
4. Our Minister of the Interior is charged with the execution of this decree which shall be inserted into the Bulletin of Laws.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State,

signed, H.B. duc de Bassano

By the end of March, 1811, the Jews of twenty-two departments of France had been exempted from the restrictive provisions of the Decree of March 17, 1808. Of the sixty-eight departments in which Jews were living, forty-four were still subjected to the terms of the decree. These figures, though, do not convey the correct impression. Actually, only eight departments were still actively subjected to the terms of the decree, and these due to the persistent unacceptable conduct of their Jewish inhabitants. "The thirty-six others, not having requested relief, Napoleon never bothered to grant it."⁴³

The best picture available of the condition of French Jewry following the decrees of 1808 is to be found in a report submitted to the Minister of the Interior by the Central Consistory on June 23, 1810.⁴⁴ The report is punctuated throughout with flattery and thanks to Napoleon. The prevailing tone is that of a cringing supplicant, careful of every word and trying to show how much improvement had been accomplished as a result of the Emperor's harsh but welcome punishment. The self-deprecation in the report reaches its peak in its discussion of the positive results of the decrees of 1808 which had such a disastrous effect on the fortunes of the Jews of Alsace and which deprived French Jewry of the basic equality of French citizenship.

Appended to this report was information received from each of the thirteen local Jewish consistories; there are lists with facts and figures showing how many Jews were then

farmers, how many were soldiers, how many were manufacturers, and how many children were devoted to the learning of a trade or to the study of the sciences or liberal arts. The report gives all the credit for this progress to the wise decree of 1808. "All our co-religionists are anxious to show themselves worthy of the paternal bounty of our august Emperor. Their regeneration is already perceptible, and without the chains that a few still bear, they have taken a great step forward as a result of the rigor of the imperial decree of March 17, 1808."⁴⁵

From the reports of the various departmental consistories, it is clear that although all seemed to be well in the areas around Marseille, Bordeaux, Turin, Casal, Paris, Trèves, Mayence, Coblenz, and Crevelt, such was not the case in Metz, Nancy, Strasbourg, Wintzenheim, and their environs. Much suffering resulted in these latter circumscriptions from the decrees of March 17, 1808, and their consequent cancellation of debts. The Jews in these areas were still a problem at the time of the report of 1810, and, in discussing them, the authors resorted to the most obvious apologetics. They pointed out that prior to the Revolution these Jews had been forbidden to own any land or to do any honest type of work. "They were only permitted to engage in brokerage and lending at interest. In such a deplorable situation, we ask Your Excellency, if there had been other people in place of these Jews, attacked and oppressed on all sides, would they have been content to devote themselves to

brokerage and lending at interest? And would they have remained so peaceful?"⁴⁶ And yet, the report continues, "...the number of Jews who became criminals is much less than of any other religion."⁴⁷

The report points out that the Revolution had caused great financial losses to these Jews of the northeastern provinces, because it was the émigrés who had been most in debt to them. And then "...the rigorous provisions of the imperial decree of March 17, 1808, added the final blow to their misfortunes. However, no substantiated claim has been raised against them, and when and if some usurer be found among them, all the Jews need not take responsibility for these wretches any more than the other religions take the responsibility for the usurers among them."⁴⁸ It must have taken courage for the Central Consistory to deliver this not too veiled criticism of the imperial decree. On the rosy side, the report points out that all the fathers were having their sons taught "...useful trades, sciences, arts, and the defense of the country."⁴⁹ And here in the troublesome departments just as in the departments of the older Jewish communities the report cites the names and numbers of farmers, manufacturers, and laborers among them.

It was in the consistories of Strasbourg and Wintzenheim that conditions were the worst in 1810. The report assures the Minister of the Interior that the Central Consistory had done everything in its power since its inception "...to discover the causes of this religious hate that still

exists in this area and which seems to be inherent in its people....Granted that it is impossible to justify the activities of certain lenders, but is it necessary to extend the same reputation to all the members of a class just because they profess the same religion?"⁵⁰ The Central Consistory went on to point out that in those areas where the Jews had the right to practice any profession they desired, they demonstrated the finest traits, but in those areas where they were forbidden to engage in useful professions and where they were oppressed, the effect was quite the opposite.

The report goes on to mention acts of oppression and hate toward the Jews by every segment of Alsatian society. Christians
The justification offered by the ~~was~~ was that the Jews held mortgages on a large proportion of Alsatian land, but the consistorial report gives the exact figures as to how much was owed to Jews, the amount being negligible as compared with the rumors (very similar to Furtado's report of three years earlier, viz. p. 48 above). "In their complaints against the Jews, they do not make any distinctions; all are usurers. They do not consider that three-quarters of the people so labeled do not own any more than a penny, that they must live from day to day in the basest indigence..."⁵¹ In spite of all the suffering of the far from assimilated Alsatian Jewish community,⁵² the consistory pointed out that "...there are 175 farmers, 294 in military service, 348 children being trained for useful professions, for the arts and the

sciences and who attend the public schools, 144 laborers of all kinds, and 165 manufacturers of all kinds."⁵³

The Central Consistory pointed with pride to the numbers of Jews engaged in these honorable pursuits all over France "...when one considers the old situation of the Israelite population of France in which there were no farmers, no artists, and no craftsmen."⁵⁴ Of course, all of this "progress" is as a direct result of "...the sublime genius of the greatest of heroic legislators, a monument before which all the anti-social systems are humbled due to the evidence of the salutary effects that wisdom and the influence of equitable laws produce on men and eras."⁵⁵ The fact that the Central Consistory was forced by circumstances to characterize the decrees of 1808 as "equitable laws" and works of "sublime genius" is the most depressing aspect of this exhaustive report of 1810. Consistent with the self-abasement prevalent throughout the report is the conclusion in which the Central Consistory guaranteed that its co-religionists would "...redouble their efforts to make themselves more and more worthy of the bounty which His Majesty has seen fit to bestow,...to make every difference between themselves and the other citizens of the Empire disappear."⁵⁶ On September 28, 1791, the French National Assembly had declared "...that every man, of whatever color, of whatever origin, of whatever country, shall be free and shall enjoy the rights of a full citizen of France."⁵⁷ Nineteen years later, as a result of the Decrees of March 17, 1808, the spokesmen of French Jewry

were still attempting, in the most self-deprecatory manner, to regain rights that had once been theirs.

The Decrees of March 17, 1808, were not the last of the exceptional measures enacted in that year relative to the Jews. At this time the practice of assuming a family name was not very widespread among the Jews. They took biblical names or city names, but these were changed from generation to generation, each adult assuming whatever name he wanted. Certain names were quite common, and many Jews had no qualms about changing their names whenever it pleased them to do so or whenever it might prove to be financially expedient. The adoption of family names had been made mandatory for all French citizens by the law of 11 Germinal, Year XI,⁵⁸ but it seems that this law had very little influence among French Jews, especially those of the northeastern provinces.

As early as 1806, de Champagny had proposed regulation of the names of Jews to the Council of State, but nothing came of this suggestion. However, in a report to Napoleon dated May 18, 1808, M. Cretet, who succeeded de Champagny as Minister of the Interior, proposed to oblige all Jews who were subjects of the French Empire or who desired admission to France to take family names. The consequent Decree of July 20, 1808, (Document I-M) required each Jewish head of family to make official declaration of his chosen name before the mayor of the town in which he lived.

Decree Relative to the Names of Jews⁵⁹

July 20, 1808.

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of the Interior;

Our Council of State in agreement,

We have decreed and do decree that which follows:

- Article 1. Those subjects of our Empire who follow the Hebraic religion and who, until now, have not adopted family names and first names are hereby ordered to adopt them within three months of the publication of this decree and to declare them officially to the civil officer of the community in which they live.
2. Foreign Jews who desire to live in the Empire and who come under the conditions of article 1 are ordered to follow the same procedure within three months following their entry into France.
 3. Names taken from the Old Testament and names of towns will not be acceptable as family names. Only those names which are authorized under the law of 11 Germinal, Year XI, are acceptable.
 4. The consistories, when drawing up the statement of Jews in their communities, are ordered to verify and to make known to the authorities whether all have individually fulfilled the conditions prescribed under the preceding articles. They are also ordered to observe and to make known to the authorities those Jews of their communities

Document I-M

who have changed their names without having conformed to the provisions of the aforementioned law of 11 Germinal, Year XI.

5. Not affected by the provisions of this decree shall be those Jews of our states or foreign Jews desirous of settling here who have known family and first names which they have always had, even if these names are from the Old Testament or from towns where they have lived.
6. The Jews mentioned in the preceding article who wish to preserve their family and first names are nevertheless ordered to make declaration of them in this manner: the Jews of our states before the mayor of the community in which they live, and foreign Jews before the mayor of the town in which they propose to live, in either case within the time limits imposed by article 1.
7. Any Jews who will not have complied with the formalities of this decree within the time limits imposed shall be deported from the kingdom. This applies equally to those who by some public act or by some private arrangement change their names arbitrarily and without conforming to the provisions of the law of 11 Germinal, Year XI. They shall be prosecuted and punished in conformity with the laws similarly to forgers and in accordance with the exigencies of the particular cases.
8. Our Chief Justice, the Minister of Justice, and our Ministers of the Interior and of Cults are charged, each in

that area which concerns him, with the execution of this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed, Hugues B.

Maret

On the surface, this Decree of July 20, 1808, would seem to be quite reasonable and justifiable. One of the primary characteristics of Napoleon and of his administration was his love for order. So many Jews had either no last names, extremely common names, or constantly changed their names that something had to be done in order to make these Jews more easily identifiable. And so there might be a tendency to disregard this decree or to attach little importance to it. Attention must be drawn, however, to four extremely significant aspects of this decree. 1) Although a law had already been passed -- the law of 11 Germinal, Year XI -- ordering all Frenchmen to adopt names, special and exceptional legislation was considered necessary for the Jews for whom, as Frenchmen, the provisions of the existing law should have been sufficient.

2) Under the provisions of article 4 of this decree, the local consistories were ordered to seek out and to report any breaches in the fulfillment of the terms of the decree. Once again, then, we see an example of the consistories being required to function as police and to spy on its co-religionists.

3) This decree applied to all French Jews equally without any escape clause as in article 19 of Document I-F. As might have been expected, those Jews who were excepted from the harsh provisions of the March decree protested quite vigorously at being included in this one. But the Minister of the Interior insisted that this decree extended to all Jews

and that even the favored Jews of Gironde and Landes had to abide by it.⁶⁰ And so these Jews, who had escaped from the exceptional legislation of March and were considered Frenchmen in every regard, were now also the objects of particular legislation.

4) Under the terms of article 7 of this decree, Jews who failed to comply with its terms were subject to the penalty of deportation. Deportation was not the penalty to be imposed on ordinary Frenchmen who might fail to adopt proper names in time under the provisions of the law of 11 Germinal, Year XI. Deportation is a punitive measure employed by a country against foreigners who do not abide by its laws. And so the penalty announced by article 7 declared that, in the eyes of the law, all Jews were foreigners.

At this time attention should be drawn to two documents in later sections of this paper, Document II-A and Document III-C. The former is a letter from a departmental prefect to all the mayors of the department setting up the machinery for the registration of the names of resident Jews. The latter is a letter from the Central Consistory to all the local consistories ordering that, in compliance with the Decree of July 20, 1808, Jews called up to honors in their synagogues should be designated by their officially registered names rather than by the customary "Isaac, son of Abraham." On March 26, 1810, the Consistory of Mayence

sent out a circular to all the synagogues under its administration ordering that, in calling up a Jew to the reading of the Torah, he should be called by his first name and his family name, no longer by his first name and that of his father. "This ancient custom has become actually distasteful, as it is contrary to the wishes of the imperial decree of July 20, 1808."⁶¹

The following two documents are based on provisions of the Decree of July 20, 1808. They are self-explanatory and require no commentary.

Document I-N

Individual Change of Name Decree⁶²

June 15, 1812.

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of the Interior;

Considering the request of M. Gottschlack Heymann, Jew, living in the commune of Hersel, department of Roër, to be allowed to substitute the name Wolff for that of Heymann in the register of the Jews, opened by virtue of our decree of July 20, 1808, and to allow the same change for his son who lives in Cologne;

Considering Article 4 of the law of 11 Germinal, Year XI, which says: "Any person who has some reason to change his name shall address his request to the government";

Our Council of State in agreement,

We have decreed and do decree that which follows:

Article 1. The mayor of the commune of Hersel, department of Roër, is authorized to substitute the family name of Wolff for that of Heymann, according to the declaration that Gottschlack Heymann made in executing our decree of July 20, 1808.

2. Philippe Heymann, son of Gottschlack, is authorized to adopt the same name of Wolff and to make declaration of that fact for the register of the city hall of Cologne.
3. Our Minister of the Interior is charged with the execution of this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed, Comte Daru

Document I-O

Circular Concerning Acceptable First Names⁶³

To the prefects of the departments of France

September 28, 1813.

Honorable Prefect,

I am informed that certain civil officers of the state refuse to accept as first names, on the birth certificates of Israelite infants which are given to them, the names of known biblical personages. They are of the opinion that one may adopt only those first names which may be found in the calendar.⁶⁴

This opinion is contrary to that which is ordered by the law of 11 Germinal, Year XI, and the decree of July 20, 1808. The law of 11 Germinal states that names used in the different calendars and also names of persons known in ancient history are the only ones acceptable as first names. And the decree of July 20 concerning the Jews obliged them to adhere to this law.

Therefore, they have the right to choose from among biblical personages, who are a part of ancient history, first names that they wish to give to their children.

I advise you to instruct the mayors of your department in order to prevent any difficulty in connection with this.

Comte de Montalivet

Minister of the Interior

On October 19, 1808, Napoleon issued a decree which provided for the installation of the members of the Central Consistory and the grand rabbis and lay members of the local consistories. The Jews did not waste much time in carrying out the orders of the Emperor. Documents II-B, III-A, III-B, IV-A, IV-B, and IV-C below, all dated between 1809 and 1810, have to do with the details of organization of the local consistories. A small but precious volume published in Coblenz in 1809 preserves all the correspondence, minutes of meetings, and decrees relative to the elections and installation of the consistory of Rhin-et-Moselle. Several of these documents may be found below. The most interesting thing about these documents is that they show so clearly the lengths to which the Jews went to present the best possible face to the officers of the Empire, both national and local.

In a fascinating and enlightening letter to the consistories (Document III-A), the Central Consistory actually threatened to reject anyone nominated for consistorial office by the local assemblies of notables who did not meet its standards. The local Jews were told firmly but politely that the Central Consistory had "...firmly resolved to point out to the government any nomination which goes to a person who will not bring honor to Israel..." To bring honor to Israel meant to be in agreement with the doctrinal decisions of the Great Sanhedrin and to work toward the fulfillment of the imperial will relative to the integration of Jewry into

French society.

Once the consistories were organized, the administration no longer had to deal with individual Jews or individual communities of Jews. As each local consistory organized and took its oath of allegiance to the government, as each rabbi was inducted with the affirmation that he would be loyal to the government and to the Central Consistory, Jewry in France lost the semi-autonomy which it had enjoyed as a vital cog in a pre-capitalistic society. French Jewry was now a corporate entity, well organized and responsible as a unit to the administration.

The oath of office which was administered to the functionaries of the local and central consistories, as prescribed by the Decree of October 19, 1808, is quite revealing. In the first sentence, the person taking the oath swears allegiance to the government. But the second sentence exposes the main object of consistorial organization. "I also swear to make known anything I might discover which is contrary to the interests of the sovereign or of the state." By this oath, the consistorial officers accepted and assumed their roles as spies for the government, sworn to a continuous surveillance of their co-religionists.

Documents I-P, I-Q, and I-R following are all concerned with the organization of the consistories. Document I-P is the Decree of October 19, 1808, with the appended oath alluded to above. Document I-Q is a letter from the Minister of Cults to the president of one of the local assemblies of notables convened to elect a consistory advising him

to see to it that those chosen are "...the most worthy of the approval of His Imperial and Royal Majesty." Document I-R is an imperial decree confirming the appointments of the elected members of the consistory of Coblenz. It will be recalled that such confirmation was necessary in accordance with article 4 of the second decree of March 17, 1808 (viz. Document I-E, page 40 above).

Consistorial Installation Decree⁶⁵

October 19, 1808.

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of Cults;

Considering the ordinance decided upon in the general assembly of Jews held in Paris, December 10, 1806, and our decree of March 17, 1808, which provides for its execution;

Considering our decree of the same day relative to the organization of the Jewish religion in the Empire and article 41 of the second part of the law of 18 Germinal, Year X;

Our Council of State in agreement,

We have decreed and do decree that which follows:

- Article 1. The members of the Central Consistory of the Jews, established in our fair city of Paris by our decree of July [sic] 17 last, shall be installed by our Councillor of State, the Prefect of the department of Seine, when, with their hands on the Bible, they take the oath prescribed by article 6 of the law of 18 Germinal, Year X, the wording of which is attached to this decree.
2. The members of the consistories of the Israelite synagogues which are established in the departments of the Empire shall be installed by the prefects of the various departments by means of the oath which follows.
 3. Our Minister of Cults is charged with the execution of

Document I-P

this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed,

Hugues B. Maret

Oath of Office

I swear and promise before God on the holy Bible to observe obedience to the Constitution of the Empire and fidelity to the Emperor. I also swear to make known anything I might discover which is contrary to the interests of the sovereign or of the state.

Document I-Q

A Letter from the Minister of Cults to the President
of the Coblentz Assembly of Israelite Notables⁶⁶

Paris, January 31, 1809.

Sir,

The Assembly of Notables over which you have been named to preside has as its object, in accordance with article 9 of the Ordinance of Jews of December 10, 1806, the election of members of the committee of the consistory established at Coblentz by decree of His Imperial and Royal Majesty, dated December 11, 1808.

I am sending copies of the ordinance of December 10, 1806, and the Decree of March 17, 1808, to you so that you may conform to the provisions thereof.

I advise you, Sir, to see to it that the Assembly does its utmost to give preference to those subjects who are most distinguished by virtue of their merit, their morals, their religious and political principles, and, in a word, who are the most worthy of the approval of His Imperial and Royal Majesty.

You are obliged, Sir, to send a copy of the minutes of the election to the Prefect of Rhin-et-Moselle, whom you shall request to forward it to me along with his report.

I have the honor of saluting you with
respectful consideration

Bigot de Préameneu

Document I-R

Decree Confirming Coblentz Consistorial Elections⁶⁷

April 13, 1809.

Napoleon, Emperor of the French, etc., etc.;

On the report of our Minister of Cults;

Considering the Ordinance of the Jews of December 10, 1808, and our decrees of March 17 and December 11, 1808;

We have decreed and do decree that which follows:

Article 1. The following are appointed: For the synagogue of Coblentz -- M. Emanuel Deutz, Grand Rabbi, and MM. Simon Baruch, Lazard Feist, and Wolf Bermann, lay members.

2. Our Minister of Cults is charged with the execution of this decree.

Signed, Napoleon

For the Emperor:

The Minister Secretary of State, signed,

Hugues B. Maret

One of Napoleon's stated objectives in the promulgation of the decrees of 1808 was that Jews should enter his armies. On June 10, 1812, the duc de Feltre, Napoleon's Minister of War, submitted a report to the Emperor which spoke very favorably of the willingness among Jews to serve in the imperial armies and the numbers who had joined.⁶⁸ Very soon thereafter the following notice appeared in the Journal de l'Empire:⁶⁹ "By a decree of July 9, His Majesty authorized conscripts of the Hebrew religion to find substitutes among themselves. These substitutes, consequently, may be accepted as replacements or as full substitutes for the Jews." From this point on, then, Jews could supply substitutes for military service like all other Frenchmen, thus revoking article 17 of the Decree of March 17, 1808 (Document I-F).

This Decree of July 9, 1812, was the greatest compliment that Napoleon could pay to the Jews, because he considered military service to be the prime duty of a citizen. He certainly would not have issued this welcome and egalitarian decree if he felt "...that the Jews still held to their ancient aversion to the profession of arms."⁷⁰ Discussing the results of his decrees of 1808 with his co-exiles on St. Helena several years later, Napoleon said, "Very good Jewish soldiers entered the French army..."⁷¹ Many stories have entered Jewish folklore from this period about contacts between East European Jews and Jewish soldiers in Napoleon's Grand Army. Whether true or not, the frequency of such stories indicates the growing popularity of the military pro-

fession among Jews after 1808. "If Napoleon had any fears as to the patriotism of the Jews, he was quite reassured: the law of conscription was carried out to the letter. Many of the soldiers re-enlisted; many won commissions on the battle fields; many enlisted voluntarily at the ages of 19, 18, and even 16; many were wounded and many died heroically. At Waterloo alone, 52 Jews fell on the field of honor."⁷²

Progress was, of course, not uniformly encouraging throughout France. There was a notable clinging to the old ways in the northeastern provinces, especially Alsace. In the years from 1806 to 1810, the department of Mont-Tonnerre with its population of approximately 11,000 Jews supplied only twenty-nine Jewish conscripts. But even this was an improvement, because up to 1806 the Jews of this department had not furnished even one soldier. Troubles with money lending also persisted in this area as may be seen from various reports from local courts to the Minister of Justice.⁷³

A total view of French Jewry, though, in 1811 testifies to the fact that the consistories proved adequate to the task assigned them by Napoleon. In a report of March 13, 1811, the Minister of the Interior wrote to Napoleon: "The regeneration of the Jews is obvious; everywhere they hurry to prove worthy of the paternal gifts of Your Majesty, and they try to make themselves worthy of exception from the provisions of the decree [of 1808]."⁷⁴ The Minister went on in the letter to explain that the Jews were obeying the laws of conscription much more than before and that many were entering useful

occupations.

The documents translated and quoted in this section served as the foundation of the organization of corporate French Jewry. These letters and decrees were the basis for the actions of the prefectural governments of those departments where there were communities of Jews, for the actions of the Central Consistory of French Jewry, and, above all, for the actions of the local consistories which most directly affected the lives of French Jews.

Three major facts emerge from the study of these basic documents. First, it is clear that the members of the Jewish Assembly of Notables and the Sanhedrin surrendered the equality which was granted to them by the revolutionary National Assembly. Certainly there was official coercion involved, and certainly some Jews did object heroically to the exceptional way in which they were being treated and in which they were treating themselves; but the mood of the leaders of French Jewry was one of fear. French Jewry in 1806 and 1807 declared itself grateful for whatever gifts, by right the heritage of all Frenchmen, Napoleon might deign to grant it.

Secondly, Napoleon viewed the financial transactions of the Jews of the Rhenish provinces as a threat to the proto-capitalistic order which he was attempting to impose; he saw these Jews as hold-overs from a pre-capitalistic society.

In order to establish effective control of the French economy, Napoleon knew that he had to establish effective control over these Jewish brokers who governed their business among themselves and their agents as they saw fit.

Thirdly, the imperial purpose for the organization of the consistories was in order to have an effective means of surveillance and policing. Napoleon knew that, although certain Jews might be able to hide their dealings from his administration, they could never operate without the knowledge of their co-religionists. To organize and control Jewry meant to have access to the dealings of all Jews; any irregularities among Jews would be reported by Jews themselves. With Jews enforcing commercial ethics and conscription as delegated officers of the imperial administration, Napoleon knew that the enforcement would be far more effective than any he could impose without utilizing the zeal of French Jews who were anxious to prove themselves worthy of the title of Frenchmen.

In the next three sections of this paper, we will see how the local governmental administrations, the Central Consistories, and the local consistories operated within the framework of the basic documents quoted above. The documents chosen for translation and inclusion in the following sections were chosen from among the many examined as representative of the attitudes, actions, and mental disposition of French Jewry of the Napoleonic era.

PART II

SELECTED DOCUMENTS
OF THE PREFECTURAL GOVERNMENTS

- II-A Letter from the Prefect of Moselle to the
Mayors of the District Relative to the Execution
of the Decree of July 20, 1808
Page 90
- II-B Prefectural Edict Announcing a Consistorial
Installation
Page 93
- II-C Letter from the Prefect of Meurthe to the Nancy
Consistory Relative to the Entrance of Jews into
Useful Occupations
Page 94
- II-D Letter from the Commissioner-General of Police
of Strasbourg to the Consistory of Bas-Rhin
Relative to Jewish Vagrants
Page 98

Document II-A

Letter from the Prefect of Moselle
to the Mayors of the District Relative to the
Execution of the Decree of July 20, 1808¹

Metz, September 13, 1808

Fulfillment of the Decree of
July 20, 1808, relative to
the family names and first
names of Jews.

You have received, Mr. Mayor, the Imperial Decree of
July 20 last, inserted in the Bulletin of Laws, no. 198.
This decree requires all French Jews, who do not have either
family names or first names which are fixed, to adopt such
names within three months from the date of the publication
of the decree.

It is important that this decree be executed in a uni-
form manner in all the towns where there are Jews living. I
am, therefore, going to outline for you the procedure which
you must follow.

There shall be opened, by your orders, at the Secre-
tariat of your Town Hall a double register, stamped and
signed by the President of the Court of First Instance of
your district. This register is intended to record the dec-
larations of each of the Jews in your town who are included
under articles 1 and 5 of the decree.

The Jews designated in article 1 are those who, not
having had until now fixed family names and first names, are

obliged to adopt them within three months.

The Jews included under article 5 are those who, having known family names and first names which they have always had even though these names are taken from the Old Testament or from the cities in which they have lived, are authorized to keep these names. But they must make declaration of these names in the register.

It is you, Mr. Mayor, who, in your capacity as officer of the civil state, are charged with the recording of these various declarations. Each declaration shall be inscribed in the two registers and signed by the declarer and by you.

Every major must make his own declaration; fathers and, in their absence, mothers may make them for their minor children; guardians may make them for their charges.

A major son must take the family name of his father if he is living; major sons and daughters who do not have either parent living shall adopt, each for himself, family names.

The declaration shall be made in this form:

"In the presence of the Mayor of the town of _____, canton of _____, district of _____, department of _____, has come _____, who has declared himself as adopting the name of _____ as a family name, and as a first name that of _____; and he has signed before us on _____, 1808."

This formula shall be the same for those Jews who are mentioned in article 5 of the decree. You will simply substitute the word keeping for the word taking.

The same formula will be followed by the fathers or, in their absence, the mothers of minor children and by their guardians with the following modification: "Who has declared herself as giving to _____ her minor son or daughter or to his charge born in _____ on _____ the family name of _____ etc."

I have outlined for you all the types of declarations which you will have occasion to draw up; it will be easy for you, without having to give it too much attention, to make these apply to the various circumstances.

Do not forget that the law must be carried out within three months from its publication.

Consequently, I invite you to procure the two registers which you will need to record these declarations immediately. You shall warn all the Jews of your town to conform to the decree within the prescribed time and without delay, under penalty of deportation from the territory of the Empire in conformity with article 7.

I am confident of your accuracy, and I depend, Sir, on your zeal for the exact execution of this letter. The mayors of the district of Metz shall notify me of its reception; and those of the other districts shall report it to the sub-prefects.

Accept the assurance of my affectionate sentiments.

Signed, Vaublanc²

Prefectural Edict
Announcing a Consistorial Installation³

Extract from the Register of Edicts of
the Prefect of the Department of Rhin-et-Moselle

Coblentz, April 26, 1809.

The Prefect of the Department of Rhin-et-Moselle,
Commandant of the Legion of Honor;

Considering the imperial decree of the 13th of this
month,⁴ by which His Majesty the Emperor and King appoin-
ted the grand rabbi and the members of the consistory of
the synagogue of Coblentz;

Considering the letter of His Excellency the Minister
of Cults transmitting that decree;

Orders:

- Article 1. The installation of the grand rabbi and of the
members of the consistory of the synagogue of Coblentz is
set for the fourth of May next.
2. M. Simon, one of the councillors of the Prefecture, is
delegated to be present at this installation and to ad-
minister the oath appended to the Decree of October 19,
1808.⁵
3. The aforementioned delegate shall submit a report which
will be transmitted to His Excellency the Minister of
Cults.

Signed, Lezay-Marnesia

An authentic copy:

The Secretary General, Reichensperger

COPY⁶

Of a Letter written by the Prefect of the Department of Meurthe to the Consistory of the Synagogue of the Circumscription of Nancy, dated January 30, 1810.

Sirs,

Article XII of the ordinance of December 10, 1806, appended to the imperial decree of March 17, 1808, delineates your functions and also indicates the prime object of the institution of the consistories.

The intention of the Emperor, in adopting this ordinance, has been to prepare the complete regeneration of that portion of his subjects who profess the religion of Israel; this was equally the wish of the assembly which deliberated it and proposed it.

Surely, Sirs, this is also your wish, and, by assuming your functions, you have contracted with the State and with your co-religionists the obligation of supporting, with all the means at your disposal and with all the influence bestowed upon you, the paternal views of His Majesty.⁷

The third provision of article XII has, no doubt, attracted your special attention due to its great importance, because it is upon its execution that the regeneration toward which you must be directing all your efforts depends essentially.

Document II-C

You should encourage the Israelites of your circumscription, by all means possible, to engage in the useful occupations.⁸ This honorable mission is given to you with the greatest latitude; and just as the ordinance does not prescribe any method, it does not fix any limits to your zeal, either.

The injunction to encourage your co-religionists to engage in the useful occupations necessarily carries with it that of removing them from any occupations which might put them in the position of leading a life of vagrancy or occupations which might create frequent and easy opportunities for illicit dealings. In this latter category might be included brokerage and peddling. And I think, Sirs, that you yourselves are surely convinced of how essential it is for you to work toward this.

Agriculture, the arts and occupations, and, finally, the professions for which careful study is necessary -- these are the various careers which should be offered preferentially to young Israelites.

Surely, Sirs, you are already engaged in deciding upon the proper methods to obtain this worthy result; I would like to be informed of your views in this matter.

I also would like, Sirs, to follow the progressive success of the execution of your methods, and I shall be particularly happy each time that you provide me with an opportunity of sending a satisfactory accounting of the moral situation of the Israelites of the department to the govern-

Document II-C

ment.

I, therefore, request that you send me at the end of each trimester:

1. A numerical account of the young Israelites of this department between the ages of twelve and twenty showing the total number; 2. the number who do not appear to be devoting themselves to any profession; 3. the number who are devoting themselves to brokerage and peddling; 4. the number who are engaged in some illicit dealing; 5. the number who are following the useful professions or who are in apprenticeship or engaged in study, subdividing this column in such a manner as to designate each profession and the number of young people who are connected with each. A final column should include whatever remarks you consider to be pertinent and which ought, particularly, to make me aware of the differences between one trimester and another.⁹

It will be necessary to append to this account, at least for the first time, a list naming all the Israelites of the department who do not have avowed means of existence with the address of each of these, the number of children they have, remarks which will enable the administration to understand the nature of the resources available for the aid of these individuals, and the dispositions relative to the educations of their children.

This complete accounting need be furnished just once; for the subsequent trimesters it will suffice to draw up an

Document II-C

account which simply indicates the changes made during the course of the trimester, notably the individuals who must be subtracted from the first accounting and for what cause, and, finally, those who must be added. This second request is also based on the last part of number 3 of article XII of the ordinance.

Finally, Sirs, I request that you accompany the tables that you send with a report which will advise me of all that you have done, all that you plan to do in order to carry out the objectives of paragraph 3 of article XII of the ordinance, the obstacles that you have met, those that you foresee, the methods which seem proper to you to overcome these obstacles or to prevent them, and the help that you would like, in this connection, by means of the intervention of the public administration.¹⁰

You may count upon the real interest with which I shall examine this correspondence, Sirs, and on the support that I will extend to you to aid your efforts.

I have the honor of saluting you
with the utmost consideration.

For the Prefect, on leave of absence:

The Prefectural Councillor, Deputy

Signed, Anthoinez

Document II-D

Letter from the Commissioner-General of Police of Strasbourg
to the Consistory of Bas-Rhin Relative to Jewish Vagrants¹¹

Strasbourg, June 19, 1811.

THE COMMISSIONER-GENERAL OF POLICE
OF STRASBOURG,

TO THE ISRAELITE CONSISTORY OF BAS-RHIN

Gentlemen,

Despite the care that you have taken to prevent the wanderings of your impoverished and begging co-religionists by charging each synagogue with administering relief to the indigent of its district, begging continues; and I know, without any doubt, that Israelite beggars constantly come to this city and exhaust the pity of their co-religionists. This state of affairs is contrary to the public order; it preserves a dangerous condition of vagrancy, and it is contrary to the wise purposes of the Government which desires to tear your co-religionists away from laziness and from all the evils which are the inevitable consequence of that laziness and to force them into useful occupations.

It is one of my duties, as well as one of my principles, to put up a dike against this renewed torrent.

Consequently, I wish to inform you, Gentlemen, that I have taken severe measures to arrest, just like any other vagabond beggar, every Israelite who might come to this city to beg alms in the houses or elsewhere.

I invite you, Gentlemen, to have the contents of my

Document II-D

letter published in every synagogue of the department.

I expect, because of your concern for good order and the execution of the laws,¹² that you will convince your co-religionists of Strasbourg to have every foreign Israelite, who visits homes in this city to solicit charity, brought to the the Commissioners of Police of their respective neighborhoods or to the General Commissariat.

Please accept, Gentlemen, the assurance of my utmost consideration.

Signed, Popp

Having seen the above letter, the Israelite Consistory of Bas-Rhin orders that it be printed in the two languages¹⁴ and addressed to the Commissioners in charge of the Temples under its jurisdiction with the invitation to post it so that no one may fail to see it.

Strasbourg, June 24, 1811.

Signed, Rehns and

Mayer Samuel¹⁵

PART III

SELECTED DOCUMENTS
OF THE CENTRAL CONSISTORY

- III-A Letter from the Central Consistory to the
Assembly of Notables of Rhin-et-Moselle
Relative to the Organization of a Consistory Page 101
- III-B Letter from the Central Consistory to all
Local Consistories Relative to General
Objectives Page 104
- III-C Extract from Proceedings of the Central
Consistory Relative to Names Employed in
Calling Jews to the Torah Page 109
- III-D Letter from the Central Consistory to the
Jews of Bas-Rhin Denouncing the Conduct of
Certain Jews Page 112

Document III-A

Letter from the Central Consistory to the Assembly of
Notables of Rhin-et-Moselle Relative to the Organiza-
tion of a Consistory¹

Paris, January 30, 1809.

To the Members of the Assembly of Notables
of the Consistory of Coblentz

The important function that has been conferred upon you, Sirs, imposes upon us the duty of reminding you of several points, which certainly would have occurred to you in your wisdom, but concerning which it is essential that you pay the strictest attention.

By establishing consistories in the various departments, the government manifests its desire of giving to its Hebrew subjects proof of the interest that they have aroused. These consistories will represent all Israelites, and so it is essential that the choice of members who will compose the consistories fall on people who are capable, by virtue of their knowledge, their integrity, and their devotion to religion, of bringing Israel all the luster possible and of justifying the confidence of our sovereign.

Just as we do, Sirs, you will feel the importance of the task that has been imposed upon you. Therefore, we cannot advise you too strongly to pay the most scrupulous attention to this delicate choice. Love of the public welfare and of the glory of Israel, which certainly penetrate each of the notables, can alone determine the choices advantageously. And

Document III-A

naturally the Central Consistory, relying upon your zeal, expects the most satisfactory results.

Would you, therefore, please begin as soon as possible with the selection of the members of the departmental consistory of which you are charged, and send us a report of them.² We should like to feel certain that the choices will be in perfect accord with our hopes and that we will not be required to reject anyone. You understand that it is our duty to avert anything that could be injurious to the happiness of our brothers. For this reason we have firmly resolved to expose to the government any nomination which goes to a person who will not bring honor to Israel and fulfill the requirements of article 10 of the ordinance of the Assembly of December 10, 1806, and sanctioned by the imperial decree of March 17, 1808, which article says:

"No one may be a member of the consistory 1) if he is not thirty years old; 2) if he has gone through bankruptcy and has not honorably re-established himself; 3) if he is known to have practiced usury."³

Article 12 says: "The functions of the consistory will be: 1) to see to it that the rabbis are not able to give, whether in public or private, any instruction or explanation of the law which is not in conformity with the responsa of the Assembly of Notables, converted into doctrinal decisions by the Great Sanhedrin, etc."

In bringing these important clauses to your attention,

Document III-A

we have in mind only the glory of our brothers;⁴ it is important for them that the government be satisfied with the measures that they have enacted, and it is up to us to make certain that these measures are faithfully carried out.

But we have the greatest confidence in your wisdom, Sirs, and we will grant you all the justice that you deserve. It only remains for the Central Consistory to thank you for all that you will do to help us accomplish the aims of the government.⁵

Please accept, Sirs, the assurance of our affection and of our fraternal love.

Signed, David Sinzheimer,
President;

Abraham Cologne, Grand Rabbi;

Baruch Cerf-Beer; J. Lazard;

Sasportas, Secretary General.

N.B. You will find attached the imperial decree of March 17, 1808.

Document III-B

Letter from the Central Consistory to all Local Consistories Relative to General Objectives⁶

Paris, _____

THE CENTRAL CONSISTORY OF ISRAELITES,

TO THE MEMBERS OF THE DEPARTMENTAL CONSISTORY
OF THE CIRCUMSCRIPTION OF _____

בית יעקב, קום: האש של
העולם מנחה אותנו.

House of Jacob, arise: the flame of
the Eternal guides us.

Isaiah, Chap. II, verse 5

Gentlemen,

Selected by the choice of His Imperial and Royal Highness to fulfill the functions of the Central Consistory established in Paris by the imperial decree of March 17, 1808, we have devoted every moment since our installation to co-operating in the organization of the departmental consistories, the foundation of our religious and political regeneration.

An establishment, so new that it is unique in the history of the centuries, first required measures based upon information that was not available from other public administrations. The paternal zeal and the benevolent activity of His Excellency the Minister of Cults was essential in helping

us to overcome so many difficulties.

We have finally arrived at the desired goal; the organization of the departmental consistories is happily accomplished. And, in conformity with the provisions of article 6 of the Ordinance of December 10, 1806, of the Assembly of Notables,⁷ His Excellency the Minister of Cults has decided that the election of a fourth lay member is not proper. The text of the paragraph which states:

"The consistories shall be composed of one Grand Rabbi, of another rabbi or as many as are necessary, ..."

is clear and cannot be interpreted as allowing the replacement of the second rabbi by a fourth lay member. A new imperial ruling would be necessary to allow this in those places where there is no other rabbi.

The worthy testimonials which the prefects of the various circumscriptions gave to their Excellencies the Ministers of the Interior and Cults about the serenity, the orderliness, and the unanimity of sentiment which were manifested in the various assemblies of notables gave us the utmost satisfaction. These notables may feel confident of the approval of the government and the eternal recognition of their co-religionists. We congratulate them, in the name of Israel, for the spirit of wisdom and of love for the general welfare which guided their choices. And we, in particular! How much we have to rejoice over since these results have

Document III-B

given us as colleagues such men as you, Gentlemen, whose brilliance, whose talents, and whose zeal are recognized to be for the welfare of Israel. For us this is a definite guarantee that, by our united efforts, we shall be able to make ourselves worthy of the gifts of the Great Napoleon and the sanctification of the name of Israel.

This first communication will be devoted, in part, to expressing the sentiments which animate us all. Let us render grace unto the Eternal who has entrusted our common destiny to the just and powerful prince who governs this vast Empire. O, how our fervent prayers invoke the blessings of the Most High on this hero who has condescended to consolidate our civil, political, and religious existence! O, how the hymns of thanksgiving resound in our temples and blend harmoniously with our sacred songs!

Divine grace has ordained a new luster for Israel: the regeneration of those who profess its holy religion. Napoleon the Great conceived of this noble plan; it is up to us to contribute to its accomplishment.

In articles 4, 11, 12, 17, 21, and 26 of the religious organization which His Imperial and Royal Majesty condescended to grant us, we find all our procedures delineated and our duties fixed. The publicity given to the doctrinal decisions of the Great Sanhedrin was not enough; it is still necessary to establish organizations to see to the constant maintenance and to the observance of these dogmas and to their execution.

It is this necessity which determined the establishment of the consistories; it also indicates the nature of their powers and the extent of their functions.

But that which most particularly and most essentially demands the attention and the continual care of the consistories is the religious and moral instruction of our youth. The virtues or the vices of man usually depend on the impressions left by early instruction. It is, then, on this one foundation that we can establish our regeneration; it is from this fountain that the youth of Israel will drink the worthy sentiment of love of Sovereign, love of homeland, of the sciences and arts and useful professions. It is thus that the name of Israel will be honored and sanctified.

Rabbi and Laymen,⁸

What better opportunity could you ever have to display your principles and your virtues! What a difference there is between your present organization and that which administered the former corporations⁹, where the leaders, under the name of syndics, were simply the collectors of several unjust taxes or the regulators of those laws which were contrary to the constitutions and the laws of nations!¹⁰

Could the expounders of religion teach social virtue, love of homeland, and the entrance into useful professions when we were no more than foreigners in the country in which we were born? When we had no civil existence and when any worthy occupation was interdicted to us? But today we can

Document III-B

speak with great pride: We have a homeland, we are Israelites, we are Frenchmen.

Your task is to hasten the regeneration of our brothers in order to make them worthy of the benefactions that our august Sovereign has condescended to pour out on us.

By your zeal and your service, you will bring closer the time when the shackles imposed upon us by the Decree of March 17, 1808, will disappear forever. How glorious it will be for you, Gentlemen, to bring closer the moment that will fulfill the promises of His Majesty, for he has set a time limit on the measures and he has condescended to emancipate so many of our brothers!

Moreover, how many acts of greatness and benefit preceded, accompanied, and followed these measures!

The Divine word, spoken on Mount Sinai, resounded like a clap of thunder and submitted Israel to the terror of the moment in order to make Israel more fully appreciate the celestial gift of our holy laws.

Such will be the happy results which we will attain as we zealously accomplish the duties that have been imposed upon us.¹¹

Document III-C

Extract from Proceedings of the Central Consistory Relative to Names Employed in Calling Jews to the Torah¹²

CENTRAL CONSISTORY OF ISRAELITES

Extract from the Account of Proceedings

Meeting of March 8, 1810

The Central Consistory of Israelites of the Empire, having been informed that, in many temples of various circumscriptions, Ministers (Hazan) are perpetuating the custom of designating the Israelite called to the honor of reading a chapter of the Law by the formula that was the custom in ancient times: Isaac, son of Abraham, a custom which serves to perpetuate the confusion of names, in opposition to the spirit of the provisions of the Imperial Decree of July 20, 1808;

Considering that this custom is in no way connected to any article of religion;

Considering that, in conformity with the well known doctrine, consecrated since ancient times among the Israelites and renewed by the doctrinal decisions of the Great Sanhedrin, "that in matters civil and political the law of the State is the supreme law," the provisions of article 1 of the Imperial Decree of July 20, 1808, which prescribe that the Israelites of the Empire must adopt fixed family names, are religiously obligatory for all without any distinctions or reservations, either religious or civil;

Decrees:

It is forbidden for any Minister of the Mosaic religion, under penalty of removal from office and being exposed to the authorities as one who is disobedient to the laws of the State, to designate Israelites called to religious honors henceforth in any way other than by their names given at circumcision plus their family names, which were adopted by declaration before a civil officer in execution of article 1 of the forementioned imperial decree.¹⁴

Consequently, an extract of this decree shall be sent to all the departmental consistories accompanied by a circular letter relative to it with the invitation to publish it in all the temples of their circumscriptions, through the offices of their surveillant commissioners, and to see to its execution.

We decree also that a copy of the present deliberation and of the circular letter attached to it be sent to Their Excellencies the Ministers of the Interior and of Cults.¹⁵

Done in consistorial meeting, the day, month, and year above.

Signed, as a true extract, the members of the Central Consistory:

The Chevalier de Cologna, acting president;

J. Lazard; B. Cerf Berr;

Sasportas, Secretary

Document III-C

The Israelite Consistory of the Department of Bas-Rhin, having seen the proceedings of the Central Consistory above reproduced, dated March 8 of this year,

Decrees:

That the said proceedings shall be printed in the two languages and sent to all the surveillant commissioners of the synagogues of the circumscription, these latter being obliged to publish them in their respective temples, after which the Ministers of the Mosaic religion will be obliged to conform under the penalty set forth in the said proceedings.

Strasbourg, March 26, 1810.

Signed, J. Rehns,

Samuel Alexandre;

Jacques Meyer, Rabbi.¹⁶

Document III-D

Letter from the Central Consistory to the Jews of Bas-
Rhin Denouncing the Conduct of Certain Jews¹⁷

Paris, October 22, 1810.

THE CENTRAL CONSISTORY
OF ISRAELITES OF THE EMPIRE

TO ITS CO-RELIGIONISTS OF BAS-RHIN.

Israelites,

Complaints have arisen on all sides relative to the selfishness, the brutishness, and the insubordination of certain individuals among you.

Possibly your consistorial officers have been obliged to deviate from the strict provisions of the law occasionally in order to prevent the scandal that would have resulted from the clash of those passions which divide you and mislead you.

But whatever may have been the good intentions of the members of your consistory, our duties oblige us, nevertheless, to remind them of the limits that the law has set for the powers of the consistories and of their delegates at the temples.

The many proofs that we have had of the wisdom and the fine spirit which characterize each of the members of your consistory are a definite guarantee for us that similar errors will not take place in the future.¹⁸

Israelites, now having fulfilled the obligation that the law and liberty of conscience impose upon us with regard to your religious leaders, it remains for the Central Con-

Document III-D

sistory to advise you of the duties which you must fulfill toward religion and society.

The insubordination and the license of impious persons occasioned the dispersion of our ancestors, their degradation, and the calamities of all kinds which afflicted them through eighteen centuries.

These shameful passions and an absolute lack of any concept of society still exist among certain individuals of your locality. It is their iniquity which generated the unfavorable opinion about the mass of our co-religionists of Alsace and caused them to be considered as a mass of depraved beings, incapable of fulfilling their obligations and enjoying civil rights. Their turpitude provoked the just severity of the most paternal and most just monarch.¹⁹

Israelites, do not allow yourselves to be mislead by these disgraceful disturbers, these veritable scourges of the human race and dangerous enemies of our holy religion. Let honesty and loyalty be the basis of your conduct and your actions. Let your love for our august sovereign, your docility and your obedience to the laws of the state, your ardor which brings you to devote yourselves to the defense of the nation and to the sciences, the arts, and the useful occupations, and, finally, your respect for the judges and your regard for your religious leaders who were honored by the choice of His Majesty; let all these testify to the authorities that you deserve to be freed from the provisions

Document III-D

of the Decree of March 17, 1808, and that you are worthy of the honorable titles of Frenchmen and subjects of the great Napoleon.

Remember also, Israelites, that the laws of nature and of religion both command beneficence toward one's fellow-men; do not make it necessary for your consistory to resort to the assessments that the law authorizes formally as provided by article 7 of the imperial decree of March 17, 1808, to force you to give charity. What kind of opinion can be held, by the government and by your own compatriots, about men who show themselves to be so avaricious and so selfish?

We implore you, in the name of religion and of humanity, to see to the needs of the indigent of your towns by means of donations and voluntary subscriptions.

The blessings of heaven and the consideration of the government and of your compatriots of the other religions will be your sweet and glorious reward.²⁰

We have the honor of saluting you.

The members of the Central Consistory:

The Chevalier de Cologna, Grand Rabbi,
acting president;

J. Lazard; B. Cerf-Berr;

Emmanuel Deutz, Grand Rabbi.

The Israelite Consistory of the circumscription of Bas-Rhin, having seen the above pastoral letter, orders that

Document III-D

it be printed in the two languages and transmitted to those in charge of all the temples of the circumscription in order that it may be posted by them in their respective temples for three consecutive Saturdays, and, when this is done, that the Central Consistory be so notified.

Strasbourg, November 5, 1810.

Signed: J. Rehns;
Mayer Samuel;
Samuel Alexandre;
Jacob Meyer, Rabbi.

PART IV

SELECTED DOCUMENTS
OF THE LOCAL CONSISTORIES

- IV-A Excerpt from the Minutes of the Rhin-et-Moselle Assembly of Notables Relative to the Organization of the Consistory
Page 118
- IV-B Extract from the Proceedings of the Consistory of Wintzenheim Relative to the Appointment and the Duties of the Surveillant Commissioners
Page 120
- IV-C Pastoral Letter from the Consistory of Trèves Encouraging Compliance to the Wishes of the Government and of the Consistory and Denouncing Recalcitrants
Page 124
- IV-D Letter from the Consistory of Bas-Rhin Directing Surveillant Commissioners to Take Action against Vagrants
Page 130
- IV-E Circular from the Grand Rabbi of Nancy Discouraging the Support of Vagrants and Encouraging the Useful Occupations
Page 132

- IV-F Letter from the Consistory of Bas-Rhin to its
Surveillant Commissioners Relative to the Organ-
ization of Charity and the Ending of the Bletten
System Page 135
- IV-G Letter from the Consistory of Nancy to its Sur-
veillant Commissioners Relative to the Entrance
of Jews into the Useful Occupations Page 137
- IV-H Letter from the Consistory of Bas-Rhin to its
Surveillant Commissioners Relative to the Ap-
proval of Applications for Commercial Patents Page 143

Excerpt from the Minutes of the
Rhin-et-Moselle Assembly of Notables¹

February 27, 1809.

This day, February 27, 1809, the undersigned notables of the Israelites of the consistorial circumscription of the Department of Rhin-et-Moselle, selected by His Excellency the Minister of the Interior to elect the members of the consistory and the grand rabbi, met in conformity with the edict of the Prefect of this department, dated the 11th of this month at Coblenz, the chief city of the department, in the main room of the City Hall, twenty-three persons present, namely:² [a,b,c,d, and e] of Coblenz; [f and g] of Mayen; [h] of Münster-Eiffel; [i,j,k,l,m,n, and o] of Bonn; [p and q] of Oberwesel; [r and s] of Creutznach; [t and u] of Simmern; [v] of Waldböckelheim, and [w] of Sobernheim. The Mayor of Coblenz, at the order of the Prefect, opened the meeting, tracing briefly the purpose for the meeting, and then he left. In respect for his seniority, the assembly named M. Samuel Bermann provisional president. M. Henri-Jones Kahn of Bonn, the youngest of the assembly, recorded the votes. We then proceeded to the roll call for the election of a president and a secretary for the assembly, and, of the twenty-three votes for president, there were nine votes for M. Simon Baruch, district councillor of Bonn, eight for M. Lazard Feist, municipal councillor of Coblenz, three for M. Emanuel Hirsch, municipal councillor of Creutznach, and three

Document IV-A

for M. Solomon Rothschild, municipal councillor of Simmern. For the position of secretary, M. Henri-Jones Kahn of Bonn received two votes, M. Samuel-Jacques Copenhagen received seven, and M. Wolf Bermann of Mayen, fourteen. Consequently, the presiding elder named M. Simon Baruch of Bonn, president, and Wolf Bermann of Mayen, secretary of the Assembly.

The president occupied the chair, and, after notification had been sent to the Mayor of Coblentz, he reappeared in the midst of the assembly and handed over a letter to the president addressed to him by His Excellency the Minister of Cults, dated Paris, January 31, 1809.³ The president had the letter read to the assembly by the secretary. The assembly, by its sustained and unanimous applause, demonstrated positively how much it appreciated the importance of the watchfulness and paternal solicitude of His Imperial and Royal Majesty and the vital interest that he has for the welfare of his Israelite subjects. Through His Excellency the Minister of Cults, the Emperor recommended to the assembly that it choose for its consistory those subjects most distinguished by virtue of their morals, their merit, their religious and political principles, and, in a word, the most worthy of the approval of His Majesty. The assembly expressed its most profound sentiments of gratitude, of recognition, and of admiration felt for the august person of the great hero, regenerator, and father of his Israelite subjects who have the pleasure of living under the protecting care of his beloved sceptre....⁴

Document IV-B

Extract from the Proceedings of the Consistory of Wintzenheim Relative to the Appointment and the Duties of Surveillant Commissioners⁵

EXTRACT

from the Records of the Proceedings of the
Israelite Consistory of
the Circumscription of Wintzenheim
June 29, 1809.

Considering article 12 of the ordinance of December 10, 1806, appended to the imperial decree of March 17, 1808, number 3237, which regulates the functions of the consistories, and considering the response to the first question asked of the Central Consistory by the Consistory of the Circumscription of Coblenz, a copy of which was sent to the Consistory of Wintzenheim by the Central Consistory along with its letter of June 12 last which said, among other things, that it was impossible for the members of a consistory themselves to watch over all the synagogues and temples of the circumscription, thus requiring the appointment of a surveillant commissioner for each synagogue and temple to report to the consistory about the maintenance of order and the collection and the use of all monies designated for the expenses of religion and for the repair of the synagogues;

Considering that the nomination of the surveillant commissioners under discussion is one of the most important objects of consistorial administration since the office of

Document IV-B

those proposed will not deal solely with the maintenance of good order and the administration of the synagogues and with the proper handling of the expenses of religion, but that this office has as its principle object the observance of the laws of Moses and the State, the maintenance of good morals, and the love of God and of the Sovereign;

Considering that one cannot proceed quickly enough with the installation of these commissioners, so that the consistory might be able to direct to them necessary inquiries in order to fulfill worthily the confidence with which it is honored by His Imperial and Royal Majesty;

The Israelite Consistory of the Circumscription of Wintzenheim decrees that which follows:

1. The following Israelites are named surveillant commissioners for the synagogues and in the communes which precede their names;

Namely:

[Here there are a page and a half left blank in which names were to be inscribed. There is one name inscribed in the examined document for the city of Colmar.]

2. These commissioners are especially charged, in their respective communes, to be vigilant that the rabbis not be able, either publicly or privately, to give any instruction or explanation of the law which is not in conformity with the responsa of the Assembly, converted into the doctrinal decisions of the Great Sanhedrin;⁶ [they

Document IV-B

are also charged] to maintain order in the interiors of their respective synagogues and to be vigilant that, for the sake of or under the pretext of religion, there not be formed, without express authorization, any prayer assembly, except in cases of: circumcision in which case there might be danger in transporting the infant to a temple, sickness, and the seven days of mourning.⁷

They shall expose all contraventions of the provisions of this article to the consistory as soon as they discover them.

3. They shall present to the consistory in July of each year the approximate budget of the expenses necessary for the maintenance of their synagogues or temples, the salaries of the rabbi and the cantor, and any other religious expenses for the following year.

This list shall be supplied for the first time within the fortnight following the receipt of this notice.

4. They shall attend to the collection of the sums levied on their communes along with the money destined for the administrative expenses of the consistory, all of which they shall turn over to M. Benjamin Moyse Bloch of Wintzenheim, the consistorial treasurer, at times which will be determined.

They shall also attend to the receipt and the disbursement of the sums allocated in order to meet the religious expenses of their respective communes, and, annually in November, they shall make an accounting of the use of these funds to the consistory.

Document IV-B

5. Every commissioner shall make, sign, and send to the consistory within a fortnight of the receipt of this notice the following declaration:

"I, the undersigned (full names and addresses), declare that I accept the position of surveillant commissioner of the synagogue of my commune which was conferred upon me by the consistorial notice of June 29 last, and I promise to conform strictly to the provisions of that notice, in evidence of which I sign this declaration."

This declaration shall be dated and the signature of the commissioner notarized by the mayor of his commune.

6. This notice shall be addressed to each of the surveillant commissioners named herein, and they are charged with its execution.

Signed: Lazare Hirsch, Grand Rabbi
and Elder,

Jacques Brunschwig, and
Léon Bloch.

Document IV-C

Pastoral Letter from the Consistory of Trèves Encouraging
Compliance to the Wishes of the Government and the
Consistory and Denouncing Recalcitrants⁸

THE CONSISTORY OF TREVES,

to the inhabitants of its circumscription
who profess the Mosaic religion

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God said: Let there be light, and there was light

Selected by the choice of His Imperial and Royal Majesty to fulfill the functions of a departmental consistory for Treves, our first object shall be this: to demonstrate our paternal solicitude for you by making you hear the voice of truth.⁹

Eighteen centuries have passed during which we have been constantly exposed to public hate and scorn. We were left to wallow in degradation so that we could be disparaged; and when we were reproached for our laziness, usury, and lack of social spirit, it was only to demonstrate with bitter derision our deplorable condition. For were we ever given any other choice but to decide between a slow and sad death or an ignominious and infamous life?

Finally, heaven, moved by pity for the scattered debris of Israel, established a generous and humane nation: she admitted us into herself and gave us the sweet name of brothers.¹⁰ But weak men took control of the state,¹¹ and we

Document IV-C

had to fear lest their fall might drag us into a new abyss; that, avenging the overthrow of prejudice on us, those who envied us would make us pay dearly for the few moments of glory during which, for the first time, we heard the name of citizen; when the Eternal brought forth from the midst of this gloom a mortal worthy of being His image on earth, who dispersed the gloom by means of his resplendent brilliance.¹² Men of good intention rejoiced at his voice; malcontents trembled and yielded. He took the helm of a vast Empire in ferment. At his advent, all became calm; everything took on stability. And we too, we were not forgotten. Our glorious monarch confirmed our rights and consolidated them. How great must be our devotion and our gratitude to this magnanimous hero who, occupied by the cares of the world, deigned to turn a paternal eye toward us! And how could we do any better than to show ourselves to be the worthy children of such a father! But, alas! Human nature is fragile: inveterate vice is not destroyed so easily. Perverse and immoral men, without regard for our altered situation, committed excesses, shameful for humanity and painful for our homeland. The Emperor wished to uproot this evil from our people; and, like a good doctor who, during a long and tiresome malady, must have recourse to violent, disagreeable, but healthful remedies, our august Emperor found it necessary to impose on us all a temporary evil, putting chains on the iniquitous lust for money and on the shameful business that our holy laws abhor.¹³

Document IV-C

But his mercy only waits for the moment when, ceasing to do violence to his character, he may give free rein to his natural generosity.¹⁴

By granting our religion an organization conforming with the spirit of the times, he shows his desire to integrate us into society. By allowing us to enjoy the rights of citizens,¹⁵ he gives us the means of procuring an honorable existence.

Israelites who live in the cities! Look at the sciences and arts and occupations flourishing around you. Let this example stimulate you to noble emulation. Let the future serve as justification for your former conduct and as an eternal accusation against those who believed that the name of Israelite was incompatible with that of a useful man. Let your children, according to their capabilities, attend the schools and the workshops; and let those who are older enter into some honest and legitimate business.

Israelites who live in the country! The earth presents you its maternal breast; it offers you its inexhaustible and fertile resources. Attach yourselves to it and cultivate it well. Turn your children to it from their tender youth, so that they may learn to appreciate the desirability of agriculture over all the artificial and unstable advantages of other pursuits.

It is in the atmosphere of your properties and your workshops that you will feel the benign influence of these

Document IV-C

protective laws. When you feel yourselves penetrated by this love and enthusiasm for the homeland, then you will achieve a profound recognition of the advantages of society. It is while eating bread moistened with your sweat that you will hate, you will detest, you will be eager to combat those eternal foes of the repose of the universe who would still like to tear you out of it and subject you to a slavery even more shameful than before since you have begun to taste the first benefits of liberty. You will prefer to shed the last drop of your blood than to serve as a triumph for barbarians. And how could you love your country and wish to defend her without devoting yourselves entirely to the guiding genius of our country whose name is obvious: Napoleon the Great.¹⁶

Possibly you are about to answer that the means are slow, that more time is necessary for these measures to be fruitful, that, finally, this period is a difficult one for you. Do not allow yourselves to be discouraged like this. It is true that sacrifices are necessary; it is true that years will pass before the fruits ripen; but when the fruits are ripe, you will find them to be even more delicious since they have cost you pains and privations.¹⁷

So must the seed, scattered in the field, lie for a certain period in the ground before it begins to vegetate, to develop, and to grow -- before it breaks the envelope that contains it. But, finally, it will have passed through

Document IV-C

all the various stages necessary for growth. What more delightful sight can there be for the diligent laborer than to see the seed attain its potential perfection! And how much satisfaction he derives after his difficult and constant labors from the blessing of an abundant harvest!

His Imperial and Royal Majesty has deigned to confer upon us the duty of watching over your moral conduct and of being the organ of his will. We have sworn to be faithful to him, and we have given our oath.¹⁸

Above all, dear co-religionists, we seriously recommend to you that you take good care of our youth, so that this tender flower not be poisoned by the venomous breath of superstition and false prejudices. Inspire them during their development with the love of virtue, of public welfare, and of the taste for work. Instruct them, finally, in our holy religion in its pristine purity so that they may be worthy of our Divine Law Giver.

For this purpose we are enclosing a copy of the doctrinal decisions of the Great Sanhedrin, so that it may serve as the foundation for your moral conduct and the instruction of the youth.¹⁹

Do not delay, dear co-religionists, to put into effect the good advice that we have just given to you. Aside from

Document IV-C

this, one does not reject a good opportunity, because one might regret it later.²⁰ We shall do our duty; do not neglect to do yours.

Do not expect that we, being weakly indulgent, will overlook grave and willful misdeeds. Far be it from us to allow injustice and iniquity by means of a guilty silence. We shall severely apprehend anyone who dares to defy the benign plans of our Great Sovereign and the protective laws of our country and of humanity. These despicable people will be submitted to the punishment that they deserve, and they will no longer include the name of Israel in the record of their crimes.

But you are not so blind. Neither base avarice nor despicable prejudice would make you blind to such a degree. You can certainly recognize the voice of truth; you will be able to recognize those despicable souls who base their cheap motives on your ignorance and your credulity. We hope that one day you will feel obliged to stop being gentle with these people and that you will address them severely, but with truth and justice, applying rigid but salutary rules.

How great will be our satisfaction if we can, one day, cause it to come to the foot of the throne that the Israelites of our circumscription are worthy of seeing the shackles imposed by the imperial decree of March 17, 1808, disappear; that they are worthy, just like the citizens of every other religion, of being members of the great family.

Document IV-D

Letter Directing Surveillant Commissioners
to take Action against Vagrants²¹

THE ISRAELITE CONSISTORY OF THE DEPARTMENT OF BAS-RHIN

TO M. _____,

SURVEILLANT COMMISSIONER OF THE SYNAGOGUE AT _____

We have been warned by the Central Consistory that a large number of foreign mendicants and vagrants, presenting themselves as Israelites,²² are slipping into the department of Bas-Rhin and that many individuals of our religion, who have the reprehensible weakness of receiving them in their homes, are furnishing them with the opportunity of committing thefts of all kinds. The Central Consistory positively insists upon the instantaneous cessation of this abuse. Consequently, you are expressly ordered by this letter to announce for a complete month in your synagogue, each day of services, that it is forbidden to any Israelite, under his personal responsibility, to receive in his home, under any pretext whatsoever, any individual who presents himself as an Israelite unless he shows his passport. Then this passport must be immediately submitted by the Israelite who has received this person to the Mayor of his commune for verification, so that the Mayor may ascertain whether the said foreigner is a known suspect.

You are also required, M. Commissioner, to advise the Rabbi or the Expounder of the Law in charge of your synagogue

Document IV-D

of this order of the Consistory by virtue of which he is obliged to clarify religion to those of our brothers who are dependent upon him for such clarification and to make them realize by his sermons and his religious discourses that the above mentioned people are the true enemies of God and our holy religion and, consequently, that they are unworthy of any pity.²³

You are requested to advise us immediately of the receipt of this notice and to send to the Consistory at the end of the month a certificate in writing verifying that you have conformed completely and exactly to its contents.

Strasbourg, February 19, 1810

We salute you.

J. Rehns

Samuel Alexander

Jacob Meyer, Rabbi

Circular from the Grand Rabbi of Nancy Discouraging the Support of Vagrants and Encouraging the Useful Occupations²⁴

THE GRAND RABBI
OF THE CONSISTORY OF NANCY,

To the Israelites of the Circumscription.

My Brothers,

In spite of the vicissitudes that have tried us ever since the dispersion, and although many of our laws were neglected or perverted, we may flatter ourselves that we have always remained faithful to the law which prescribes charity. Thanks to our hospitable virtues, our wandering brothers found momentary refuge, bread, and a comforting welcome.

What would have become of those unfortunate Israelites during those disastrous and remote epochs, when the governments were so cruel as to drive them out of their birthplaces or so blind as to tolerate them there while depriving them of the means of existence, without these aids!

But customs produced by persecution cannot be authorized under an empire of justice and of laws.²⁵ Vice and idleness ought not to be favored by abuses of benefaction. Now that in this Empire each citizen, without exception as to creed, may live by means of his work and his industry, is it not distressing and scandalous still to see Israelites²⁶ among those individuals who parade their misery and their

Document IV-E

idleness from town to town, stealing from society the debt that the citizen owes to it from his work and stealing from the hard-working and compassionate father of a family the portion of food that should go to his children?

It is these people who, as children, were brought up without receiving any true idea of religion and without the habit of work, which is the guardian of morality.²⁷

However, we profess a religion which inspires a love of the useful occupations. We still celebrate the agricultural festivals ordained by Moses. Our rabbis placed so much importance on the mechanical occupations that they declared that this type of occupation should accompany wisdom, which, without it, is vain and leads to sin. (Mesechta Aboth).

Your first duty is, then, not to facilitate an existence for these individuals whom I have pointed out which hurts the interests of society.

Indeed, these vagabonds who come from remote countries do not bring with them any guarantee of their conduct.²⁸

The Israelite who would give in to a dangerous pity, forgetting that he is exposing himself to violation of the precept which orders us to keep distant from evil (Mesechta Aboth), would be guilty of reprehensible conduct as he would be helping to preserve the custom known by the name of Pletten,²⁹ the source of so much abuse.

Israelites who cherish our country and our religion, give your charity to a more praiseworthy purpose; use it for

the education of our youth whose great efforts will contrast with the shameful inertia imposed on their ancestors. Join in those pious enterprises which have as their object the teaching of the useful crafts to poor children and thus acquiring for them a modest morality and a taste for hard work, conforming with the spirit of our religion.

The Talmud teaches that the father who does not instruct his son in a profession raises him for a life of thievery. It is worthy of real Israelites to remove innocent youths from this sad fortune and to turn them away from habits of peddling, which is so close to idleness. Moreover, the aged and the infirm, the widow and the orphan have equal rights to your aid. It is of the unfortunate person that the Eternal said: When he directs his cries to Me, I will hear them, for I am the God of mercy. (Exodus 32)³⁰

Nancy, February 22, 1810.

Jacob Schweich

Document IV-F

Letter from the Consistory of Bas-Rhin to its Surveillant
Commissioners Relative to the Organization of Charity
and the Ending of the Bletten System³¹

Strasbourg, the _____, 1810.

THE ISRAELITE CONSISTORY
of the Department of Bas-Rhin,

To M. _____,

Surveillant Commissioner of the Synagogue
of _____

Sir,

Considering that day by day it becomes more urgent to make dispositions for the poor among our co-religionists and to put an end to vagrancy, but that to accomplish this there must be submitted to the Consistory an exact account of all the poor either born in the department of Bas-Rhin or living there, you are requested on your responsibility:

1. To send immediately an account of the poor Israelites of your town to this Consistory;
2. To announce to those Israelites commonly known as visitors (Gäste), who wander about the department all year in order to ask for Bletten and alms, that in the future they will not receive any more aid;
3. To inform those Israelites who are able to prove their right to live in the department of Bas-Rhin that on July 13 and 14 next they must have themselves accepted and inscribed without error in an Israelite community of our cir-

Document IV-F

cumscription along with their old and new names, their ages, their places of birth, those of their wives and children, and, in addition, an indication of their physical conditions and infirmities, so that, after this procedure, the Consistory might be able to institute further provisions for them.

4. As for those poor persons who are ashamed (haus-
arme), who have never accepted charity slips (Bletten), and who have not sought alms any more than once or twice a year, but who, however, find themselves in need, you shall draw up a separate list of them so that the Consistory might be able, after receiving the list required by article 3 above, to advise a method of coming to their aid also, if it be possible.

5. If, on the 13th and the 14th of July next, none of these individuals (Gäste) mentioned in article 3 above present themselves, the Surveillant Commissioner is charged so to inform the Consistory.

6. In the case where foreign Jews present themselves, it shall be the duty of the Surveillant Commissioner to expose them to the police of the town so that they may take whatever measures are deemed advisable.

We salute you.

J. Rehns

Mayer Samuel

Samuel Alexandre

Jacob Meyer, Rabbi

Document IV-G

Letter from the Consistory of Nancy to its Surveillant
Commissioners Relative to the Entrance of Jews
into the Useful Occupations³²

Nancy, March 28, 1810.

The Israelite Consistory of
the Circumscription of Nancy,

To MM. the Commissioners delegated by it
in the Department of Meurthe.

Sirs,

Article XII of the ordinance of December 10, 1806, has
come to the attention of the Prefect of the Department of
Meurthe.

This particular interest, as a result of which this
worthy Magistrate wishes to occupy himself with whatever
tends to ameliorate the moral situation of the Israelites of
his department, is, in our opinion, and certainly will be, in
the opinions of our co-religionists, one of the most preci-
ous proofs of the benevolence which he has always accorded
to us and which guarantees for him forever the right to the
gratitude of us all.

The object of the letter which we had the honor of
receiving from him in this regard is of such great importance
for all the heads of families who profess the religion of
Israel in our department that we believe that we ought to
transmit the complete text to you. Moreover, this communica-
tion will acquaint you with the information that is requested

Document IV-G

of us and which, Sirs, we in turn expect from you.

To encourage our co-religionists toward the exercise of the useful occupations -- this is the honorable task imposed upon us by the third paragraph of article XII of the ordinance of December 10, 1806, and of which the letter from the Prefect reminds us. We had already felt, Sirs, that this should be the main object of our efforts; and it would not have been long before you would have received instructions from us in this matter. But we may praise ourselves that this delay was caused by the necessity of busying ourselves, before anything else, with the numerous details which always accompany a new organization. But now we feel certain that our voice will make a far more profound and advantageous impression on our co-religionists, since they will hear it with the support of the voice of the first administrator of the Department, while learning from him, at the same time, to what extent they have become the objects of his solicitude.

The ordinance of December 10, 1806, has become the expression of the will of the Sovereign, according to the imperial decree of March 17, 1808, which confirms it; and Israelites, always eager to show themselves to be obedient and faithful subjects, certainly should not need any other motivation to be anxious to fulfill its provisions. But there are other considerations also which encourage the execution of this ordinance.

The religion of Israel has never been better than per-

Document IV-G

mitted and tolerated since the organization and the discipline of the Christian religion became the law of the State. The decree of March 17, 1808, approving the ordinance of December 10, 1806, has, as its prime benefit, made things equal for us.

The various provisions of this ordinance, notably those of article XII, have as their sole objects the happiness of the Israelites. They tend to make all traces yet remaining in their midst of long years of persecution disappear, to assure their complete regeneration, and to make them worthy of the right which has been granted to them to be counted, without any line of demarcation, among the citizens of the greatest nation and among the subjects of the greatest monarch of the universe. In fact, these truly paternal provisions will cause all the vices and misery which were the inevitable results of idleness and of those dealings so justly suspect and scorned as unproductive to disappear from the midst of the Israelites. They tend to encourage a taste for the honest professions, which alone can assure a sweet and esteemed existence.

We are pleased to believe that there will not be even one of our co-religionists who does not partake of our sentiments. How could we believe otherwise when we consider that even a person whose soul has been a stranger to delicacy and honor (and doubtless there are very few of these) must realize these things through simply considering his own best interests.

Document IV-G

You will not have, then, Sirs, too much difficulty in persuading the heads of families in our district, and you will soon experience the satisfaction, which we will partake of with you, of finding them all receptive to the public and private exhortations which we ask you to make to them constantly that they decide to abandon the professions and the dealings that public opinion has forbidden and to turn with preference toward agriculture, the arts, and the occupations.

Those among the heads of families who, due to their ages or any other real reasons, consider it to be impossible for them to undertake a new career shall at least do for their children what they are unable to do for themselves. Your constant efforts must work toward the result that the generation which is now being raised shall particularly receive, through attendance at public schools, the education that it needs and that the young people, to the extent that their ages permit, shall enter into those studies or those apprenticeships suitable to their dispositions and to their tastes, as well as to the states of their parents' fortunes.

The well-to-do Israelites must not lose sight of the fact that today there is not a single career which cannot be opened to their children. They should, therefore, make it their duty to acquire for their children all the instruction which can honorably lead them to public service or to those professions which require a knowledge of belles-lettres, the exact sciences, or which demand certain specific and exten-

Document IV-G

sive studies.

It is thus, Sirs, that the honor of the name of Israel will be re-established and that we will have justified the bounty of our august sovereign. However, we cannot repeat often enough that, in order to obtain such a wonderful reward, all we need do is to work for our own happiness and to assure that of our children and our descendants. Can these be considered sacrifices or difficult duties?

You will be willing, Sirs, each of you for your own district, to send us the accounts requested by the Prefect at periods decided by him. We believe that any instructions about this work would be absolutely unnecessary since the letter from the Prefect clearly indicates the facts that should be included in these accounts and the manner in which they should be arranged.

We only add the request, relative to the first account, that you add to it a list naming the fathers and the mothers of the young people who are listed numerically in the third and fourth columns indicated by the Prefect who are not wealthy enough to defray the expenses of some sort of an apprenticeship for their children.

If any of these young people are orphans due an inheritance, you shall also designate on this list all those guardians who are violating their trusts by not employing the resources of their charges to acquire the necessary education and profession for them.

Document IV-G

The first lists that we receive, by indicating to us the true state of affairs, will enable us to recognize more clearly the means that it will be convenient and possible for us to employ in order to fulfill the object of the third paragraph of article XII of the ordinance.

Confident of the good spirit which animates our co-religionists, of the zeal with which you desire to work with us, and of the support of the public administration and the government, we can be sure of attaining a success which will become gradually more obvious and which will be for you and for us the sweetest reward that we could hope for.

We have the honor of saluting you
with the highest regard,

Jacob Schweich, Grand-Rabbi.

S.-M. Levy.

Gargon-Jacob Goudchaux.

Document IV-H

Letter from the Consistory of Bas-Rhin to its Surveillant
Commissioners Relative to the Approval of Applications
for Commercial Patents³³

Strasbourg, the _____, 181_.

The Israelite Consistory of
the Lower Rhenish Departments,

To M. _____,

Surveillant Commissioner of the Temple

at _____

In regard to the seventh article of the Decree of March 17, 1808, no Jew is permitted to obtain a patent³⁴ unless he first receives a good conduct and honesty certificate from his consistory.³⁵ In order to put this regulation into effect, the Prefect of the Consistory will send lists of all Israelites applying for patents to the Consistory. However, since the behavior of all the Jews under the Consistory's jurisdiction cannot be known by the Consistory, the enclosed list of Israelites in your congregation, Mr. Commissioner, who desire patents is being forwarded to you with the request that, within a week, you designate those who are worthy of a good conduct and honesty certificate and those who are unworthy. In the latter case, you should indicate the reasons why they are unworthy of certification. We further request that you be certain to determine this matter without bias but in all truth and impartiality. The Consistory will make use of

Document IV-H

your testimony in case of any appeal.

Your reply must be written either in French or in German.

Accept our greetings.

The members of the Consistory:

J. Rehns.

S. Alexander.

Jacob Meyer, Rabbi.

SUMMARY

Parts II, III, and IV of this thesis cover the period of the birth and the development of the Central Consistory and the local consistories. Each part begins with documents relative to the organization and the installation of the consistories, and each part continues and concludes with documents relative to certain problems which the consistories had to face. A study of the former documents reveals the rationale and the over-all plan of action for the consistories; the latter documents reveal the actual steps taken by the local governments and by the central and local consistories to carry through the designs of the Napoleonic regime. The documents translated for the purposes of this thesis are typical of and in agreement with the totality of documents of the Napoleonic era studied by the author.

The process of what is generally referred to by historians as the Napoleonic emancipation of French Jewry began with the convening of the Assembly of Notables and the Great Sanhedrin. It continued through the stages documented in Part I and in the first sections of Parts II, III, and IV; it reached its inevitable expression in Documents II-C and D, III-C and D, and IV-B through H. All of these latter documents are regulatory in character. They regulate such things as: 1) the names which Jews could adopt civilly and employ religiously, 2) to whom a French Jew could give charity, 3) which occupations a Jew should enter, 4) how consistorial agents should seek out and expose those who do not comply with the letter or the spirit of Napoleonic legislation, 5)

why certain Jews had to turn over other Jews to the civil authorities, and finally, 6) which Jews should be allowed to do business in France and which Jews should not be allowed.

A study of the documents included in this thesis can only result in a recognition of the fact that not only did the Napoleonic administration not emancipate French Jewry but that it imposed exceptional regulations on them and fostered an atmosphere in which French Jewry felt obliged to do everything in its power to prove its good faith and loyalty. French Jewry was officially emancipated by the French National Assembly in 1791. The Napoleonic regime restricted and amended this emancipation, the objects in mind being the solving of the immediate and pressing problems of Jewish usury and disorderly conduct and immigration and, ultimately, the complete assimilation of French Jewry.

There is no doubt that the soldiers of Napoleon's Grand Army spread the spirit of the revolution of 1789 all over the European continent. Certainly this enhanced the progress of Jewish emancipation in the countries east of the Rhine. And so it may be said, as Jewish historians so often do, that, at least indirectly, a good part of the credit for the emancipation of European Jewry must be given to Napoleon. But, whether or not this is a realistic view of the process of Jewish emancipation in Central and East Europe, it certainly is not in any way connected with the direct influence of Napoleon on the emancipation of the Jews in France. For in France, as the documents of this paper so clearly demonstrate, the influence of Napoleon was strictly retrogressive

to the process of the emancipation of Jewry.

Napoleon was not really concerned with the emancipation of French Jewry; he was concerned with the alleviation of a certain disorder, and he decided to employ education, coercion, and assimilation to rid France, and particularly his new order, of this disorder. It was the will of Napoleon that created the consistories and set them on their course, and that course was one of rigid self-regulation and self-inspection lest there be any possible suspicion of behavior unbecoming a Frenchman on the part of a Jew. This debilitating influence persisted in the operation of the French consistories long after the dissolution of the Napoleonic regime. It resulted ultimately in the development of generations of Franco-Jewish ultra-nationalists, afraid and ashamed of anything that might suggest influences on French Jewry from the Jewry of the regions east of the Rhine.

NOTES

Notes to Part I	Page 150
Notes to Part II	Page 155
Notes to Part III	Page 157
Notes to Part IV	Page 160

Notes to Part I

1. From the Hebrew Union College Library Collection, as yet uncatalogued. In all the documents translated from this collection, I have endeavored to retain the actual forms of the original documents as far as spacing, headings, and paragraphs are concerned.
2. This assembly is referred to in these documents by various names, particularly the Assembly of Notables and the General Assembly of Jews. The Assembly was the parent body of the Great Sanhedrin. I shall refer to it consistently as the Assembly of Notables, the most common of its designations.
3. Due to difficulties of transportation, the Assembly did not actually convene until July 26, 1806.
4. Herold, J.C., The Mind of Napoleon, p. 111.
5. I have not been able to find the text of this decree in the official Bulletin des Lois or in the two newspapers, the Journal de l'Empire and the Moniteur. However, Robert Anchel quotes from this decree, which he found in the Archives Nationales Francaises, in Napoléon et les Juifs, p. 165.
6. This is the complete text of a letter sent by Napoleon to his Minister of the Interior, de Champagny. It is number 10686 in the collected Correspondance de Napoléon Ier, vol. 13, pp. 100-103.
7. This proclamation was later written and issued by the Assembly of Notables; viz. Tama, Diogène, Organisation Civile et Religieuse des Israélites de France et du Royaume d'Italie, pp. 264-268.
8. The twelve questions proposed by the Decree of July 22, 1806.
9. Graetz, Heinrich, History of the Jews, vol. 5, p. 490. The last sentence, which is the crucial one, is virtually a word for word translation of the original German Graetz text: "Seine Ausarbeitung wurde nämlich noch vor der öffentlichen Veratung den Kommissarien übermittelt, und diese gaben dem Kaiser Nachrich davon." Geschichte, vol. 11, p. 269.
10. Tama, op. cit., p. 137.
11. Ibid., Introduction, vii-ix.
12. Kirwan, F.D., from the preface to his English translation of Tama entitled Transactions of the Parisian Sanhedrim, xii.

13. Gifford, E., Memoirs of Napoleon Buonaparte, vol. 1, pp. 557-558.
14. Gelber, N.M., "La Police Autrichienne et le Sanhédrin de Napoléon", in Revue des Etudes Juives, vol. 83, pp. 1-21 and 113-145.
15. Ibid., p. 7.
16. Ibid.
17. Tama, op. cit., pp. 140-144.
18. Ibid., p. 152.
19. From a letter from Napoleon to de Champagny, dated November 29, 1806, Posen. Correspondance, vol. 13, pp. 581-585, #11320.
20. I. e., the Assembly of Notables. This suggestion by Napoleon resulted in the Organic Ordinance of December 10 (other references say December 9 or 11), 1806, prepared by the Assembly's Committee of Nine and adopted by the Assembly. Viz. Tama, op. cit., pp. 273-285.
21. Civil provisions were the private realm of the Council of State which was a more manageable and more streamlined body than the legislature. Napoleon was anxious to keep the legislature out of the process of regulation of the Jews; viz. Fauchille, Paul, La Question Juive en France sous le Premier Empire, p. 62.
22. I. e., to relieve the supposedly oppressed and mortgaged Christian farmers of Alsace.
23. Décisions Doctrinales du Grand Sanhédrin, pp. 6-8.
24. Ibid., p. 10.
25. Anchel, op. cit., pp. 253-260.
26. This decree, as well as the two following decrees of March 17, 1808, may be found in the following places: 1) Bulletin des Lois, vol. 32, pp. 217-220; 2) Journal de l'Empire, March 21, 1808, p. 3; 3) Le Moniteur Universel, March 20, 1808, pp. 314-315; 4) Haliez, Theophile, Des Juifs en France, pp. 335-340; 5) Halphen, A.-E., Recueil des Lois....., pp. 37-47; and 6) Tama, op. cit., Part II, pp. 1-16.
27. See note 26.
28. See note 26. This is the one of the three decrees of March 17, 1808, which was usually referred to by the Jews

of France as "le décret infâme", the infamous decree.

29. Anchel, op. cit., p. 107, quoting the letter from the Prefect of Haut-Rhin to de Champagny, the Minister of the Interior.
30. Ibid.
31. Ibid., quoting the letter from de Champagny to the Prefect.
32. Ibid., p. 109.
33. Ibid., p. 111, quoting a circular issued by the Minister of Justice and dated May 28, 1807.
34. Tama, op. cit., p. 291. It is worthwhile to read the words of these Jewish men of vision who did not want to compromise their honor in order to curry favor with Napoleon; viz. Tama, pp. 289-294.
35. Halphen, op. cit., pp. 55-57.
36. The word "Synagogue" used in this sense does not mean a building or a congregation; it means a particular administrative area in which there might be several Jewish congregations.
37. This is an abstract of the chart appended to the Madrid Decree, Halphen, op. cit., pp. 56-57. I have omitted the further breakdown of the consistorial populations by departments.
38. Bulletin des Lois, vol. 32, June 16, 1808.
39. This single article concerning the Jews of Basses-Pyrénées is extracted from an imperial decree issued at Pau, July 22, 1808, regulating several disconnected matters. Halphen, op. cit., p. 50, and Journal de l'Empire, October 11, 1808, p. 3a.
40. Halphen, op. cit., pp. 57-58.
41. Bulletin des Lois, vol. 43, pp. 509-510.
42. Ibid., vol. 38, pp. 171-173.
43. Fauchille, op. cit., p. 72.
44. This lengthy report is quoted verbatim in Halphen, op. cit., pp. 307-328.
45. Ibid., p. 310.
46. Ibid., p. 318.

47. Ibid., p. 319.
48. Ibid.
49. Ibid.
50. Ibid., pp. 321-322.
51. Ibid., p. 326.
52. That such indigence was indeed common may be amply demonstrated by reference to documents D, E, and F in Part IV.
53. Ibid., p. 327.
54. Ibid.
55. Ibid., p. 328.
56. Ibid.
57. Farges, Louis, La Question Juive il y a Cent Ans, p. 21.
58. This is the date according to the revolutionary calendar by which 1792, the year of the declaration of the First Republic, became Year I. 11 Germinal, An XI, corresponds to March 31, 1803.
59. This decree may be found in the following places: 1) Bulletin des Lois, vol. 33, pp. 27-28; 2) Journal de l'Empire, August 10, 1808, p. 3a; 3) Haliez, op. cit., pp. 346-348; and 4) Halphen, op. cit. pp. 48-50.
60. Fauchille, op. cit., p. 67, referring to a letter from the Minister of the Interior to the Prefect of Gironde, dated November 16, 1808.
61. Ibid., p. 76, quoting the Mayence consistorial circular.
62. Bulletin des Lois, vol. 40, pp. 411-412.
63. I, regretably, have not been able to find my reference to the source from which I made this translation.
64. The calendar of church saints, which has a different saint's name for every day of the year.
65. Halphen, op. cit., pp. 54-55.
66. Recueil contenant le Règlement Organique du Culte Judaique et les Décrets Impériaux y Relatifs...., Coblenz, p. 19.

67. Ibid., p. 30.
68. Fauchille, op. cit., p. 77, footnote 1.
69. Journal de l'Empire, August 13, 1812, p. 2a. This law, for some reason unknown to me, could not be found in the expected places. It is neither in the Bulletin des Lois nor in Dalloz's Répertoire de Legislation. I first found mention of this decree in the works of Fauchille and Farges, both valuable secondary sources for this thesis. But the only primary source in which I could find any mention whatever of the decree was the quoted article in the Journal which, in this instance, did not quote the entire text of the decree.
70. Fauchille, op. cit., p. 77.
71. Kircheisen, F.M., editor, Napoleon's Autobiography, p. 181.
72. Berman, Léon, Histoire des Juifs de France, pp. 393-394.
73. Fauchille, op. cit., p. 75, footnotes 1, 2, and 3.
74. Ibid., p. 73.

Notes to Part II

1. From the collection of the Hebrew Union College Library, hereinafter referred to as HUCL. The titles supplied for these documents in this instance and hereafter are my own; the actual document begins in each instance after the first note number citation.
2. The Prefect of Moselle, of which Metz was the seat.
3. Recueil contenant....., op. cit., p. 31.
4. Viz. Document I-R.
5. Viz. Document I-P.
6. This document is the second half of a pamphlet, the first half of which appears as Document IV-G. It is from the HUCL collection, and the title quoted is the title applied by the Consistory of Nancy in the pamphlet.
7. This paragraph is as clear a statement as may be found anywhere as to the real role which the consistories were to play. Each consistorial member, by assuming his position, contracted the obligation of supporting the views of the government. He was, therefore, a servant of the State, not of French Jewry.
8. This theme of encouraging entrance into the "useful occupations" is repeated over and over in the documents of the central and local consistories as will be seen in Parts III and IV.
9. Sections 3 and 4 of this paragraph show how the administration expected the consistories to fulfill the functions of police and spies.
10. This offer of official intervention plus the assurance, in the first paragraph of page 95, that the ordinance prescribed no limits to the zeal of the consistories put tremendous coercive power into the hands of the consistories.
11. From the HUCL collection. This document is a pamphlet

printed by the Consistory of Strasbourg reproducing the letter from the police commissioner.

12. There could be no disappointment of an official expectation phrased in this manner. If the consistory refused to comply, then it was, obviously, not concerned with the maintenance of law and good order. But the consistories felt obliged to prove that these were its prime concerns, because they knew that they were suspected of just the opposite, and they feared this suspicion. The administration, here the police, used every opportunity to capitalize on this fear.
13. In order to see how completely the local consistories complied with these official requests, refer to Documents IV-C through IV-F.
14. Most of the documents published by the consistories of the Rhenish provinces were published in parallel columns of French and German as was this one.
15. The two signatures are those of two of the lay members of the Strasbourg consistory. There is no explanation as to why the names of Samuel Alexander, the other lay member, and Jacob Meyer, the grand rabbi, are omitted.

Notes to Part III

1. Recueil contenant , op. cit., pp. 22-25.
2. At this point the velvet glove is removed, and the iron fist is revealed.
3. It is just precisely these two articles of the organic ordinance which were so bitterly attacked by certain admirable members of the Assembly of Notables, viz. Tama, op. cit., pp. 289-295. In order to quell the uprising of these outraged members, Tama relates, "A member made the motion that the ordinance be adopted in its entirety, just as presented, and that, agreeing in the complete confidence that we have in the great wisdom and magnanimity of the sovereign authority, we content ourselves with simply including in the minutes a resume of the objections which were raised by various members against article 10, so that the government might recognize and appreciate them." Yet, in spite of the objections raised, these were the articles which the Central Consistory saw fit to impress upon the local consistories.
4. Actually, the obvious purpose in bringing these two articles to the attention of the local assembly at this point was to emphasize the fact that, regardless of the objections raised against them (viz. preceding note), they were very much in effect.
5. This sentence is another clear statement of the fact that the consistories were primarily agents of the government, not of French Jewry.
6. From the HUCL collection. This document was the first official communication between the Central Consistory and all the newly installed local consistories. It is a statement of authority and objectives. The blanks in the heading were to be filled in depending upon when and to which consistory this letter was sent. The date of this document is early 1809.
7. The wording of this article, which deals with members of the consistories, is somewhat ambiguous. Obviously, a question had been raised, and this was the ruling of the Minister of Cults. This sentence and the two following have nothing to do with the real message of this letter.

8. These letters were addressed to the rabbi and laymen of each consistory.
9. By "Corporations" is meant the various local groups of Jews who were directly responsible to their particular sovereigns in pre-revolutionary France.
10. Of course, the decrees of 1808 were just such laws.
11. The prevailing tone of this letter is confused. The Central Consistory tried to paint a rosy picture, but it realized that many French Jews were currently suffering under the terms of the decrees of 1808. In several paragraphs the Jews are equal Frenchmen, and, in others, they are in need of regeneration. The concluding simile is striking: Israel suffered terror at Sinai before being given the Torah; French Jewry is suffering now as a means of regeneration.

Space is left at the bottom of the third page of the letter for the signatures of the members of the Central Consistory.
12. From the HUCL collection. The document in this collection was printed not by the Central Consistory which issued it but by the Consistory of Strasbourg; viz. p. lll.
13. It is noteworthy that this custom of calling one to the Torah as Isaac ben Abraham is referred to in this document as "in opposition to the spirit of the provisions" of the decree (Document I-M), because there is nothing in the decree even remotely connected with this custom. This is a good example of French Jewry leaning over backwards to avoid even suspicions of reactionary behavior.
14. This is clearly a rather harsh penalty for one who has not actually violated any provision of the law.
15. Thus the Central Consistory could demonstrate to these ministers how zealous they were in fulfilling the spirit as well as the letter of the law.
16. It is amusing that, of all the documents examined which were signed by Rabbi Jacob Meyer of the Strasbourg Consistory (e.g. Documents III-D, IV-D, IV-F, and IV-H), only this one is signed Jacques Meyer.

17. From the HUCL collection. This document, too, was printed by the Strasbourg Consistory.
18. These last three paragraphs, despite the complimentary phraseology, are an obvious rebuke to the members of the Strasbourg consistory.
19. Granted that this was true, it does not explain why the "just severity" of the "most just monarch" was directed against all of French Jewry and not specifically against these dastardly individuals.
20. Nowhere in this letter is it made clear just exactly who were the individuals so mercilessly attacked in the preceding paragraphs. It seems, though, that they were persons trying to influence the Jewish community not to donate to consistorial charities. This is probably related to the troubles with private beggars discussed in Documents II-D and IV-C through IV-F.
Shortly after this letter was received by the Strasbourg consistory, it organized an official charity fund; viz. HUCL collection, Arrêté du Consistoire Israélite de la Circonscription de Strasbourg, dated December 6, 1810.

Notes to Part IV

1. Recueil contenant, op. cit., pp. 12-15. This excerpt has been chosen for inclusion in this collection as it best portrays the mechanics of those local meetings at which the consistories were elected.
2. The names of the notables, being of no significance, have been omitted. The names of the towns have been retained to show where the Jews in this area lived.
3. Viz. Document I-R.
4. The election of the consistory was deferred to that afternoon. During the afternoon session, Simon Baruch, Lazard Feist, and Wolf Bermann were elected lay members, and Rabbi Emanuel Deutz, later to become a grand rabbi of the Central Consistory, was named grand rabbi of the Coblenz consistory.
5. From the HUCL collection. At the direction of the Central Consistory, each of the consistories appointed special agents for each of the temples under its jurisdiction. This document outlines the duties of this functionary who later assumed a very powerful and potentially coercive role (viz. Document IV-H).
6. In keeping with article 12 of the organic ordinance, the consistories provided for effective thought control in every synagogue of France through the agency of the surveillant commissioners.
7. Under the terms of this article, the consistories forbade Jews from gathering together and forming a regularly meeting prayer quorum. Prayers outside of authorized temples would only be allowed in the three cases listed, at each of which attendance at a temple is either impossible or ritually forbidden. Each of these cases is strictly temporary. In this manner the consistories were able to exercise exclusive control over Jewish worship. Any attempt at schism could be sought out by the local surveillant commissioner and squelched legally.
8. From the HUCL collection. This document is a perfect example of the rationale, the attitude, the apologetics, the appeal, and the threats of a local consistory. It, more than any other document in the collection, exposes the true

role of a consistory.

9. The obvious implication of this statement is that only that information which the consistory considers to be truth is actually truth. This is another example of consistorial thought control.
10. This refers to the National Assembly in 1791.
11. This refers to the Directory and the early Consulate.
12. This use of messianic terminology to describe the advent of Napoleon is not unique here. In keeping with article 21 of the organic ordinance, there were many prayers written for the welfare of Napoleon and his family. Many of these are preserved in two collections at Harvard's Widener Library (viz. Bibliography). They are worthy of note because of their virtual deification of Napoleon. In several of the prayers he is referred to as "the chosen one" and as a new David. The figure employed in this instance of Napoleon brilliantly dispelling the surrounding gloom is very likely taken from a prayer of 1805 written to celebrate Napoleon's coronation (viz. Fête Religieuse célébrée à Paris ..., par les Français du Culte Judaique a l'occasion du Couronnement de Napoléon).
13. This is a classic among apologetics for exceptional legislation. In these paragraphs the consistory not only renounces any claim of unfair treatment for Jewry, but it actually thanks Napoleon and justifies his arbitrary methods.
14. The consistory paints a picture of Napoleon suffering paternally as he punishes a beloved child.
15. The consistory refused to view French citizenship for Jews as a natural right. It was an arbitrary gift of Napoleon's, to grant or deny as he saw fit, according to the consistory.
16. The sense of this complicated paragraph is simply this: as you subject yourselves more and more completely to the provisions of the imperial decrees of 1808 and to the will of the consistory, there will develop within you a great love of country and of your new status. As long as you rebel, you cannot find happiness, so submit to our truth.

17. The consistory offers utopia later for submission now.
18. This is as unambiguous a statement of the role of the consistories as one could hope for. They were not to serve Jewry but to serve as investigators of Jewry for the Emperor.
19. The position of this sentence is extremely significant. The consistory recommends to the people that they instruct the youth in Judaism "in its pristine purity", i.e. without the degrading accretions of the last eighteen centuries. But how can they teach "pristine" Judaism? "For this purpose we are enclosing a copy of the doctrinal decisions of the Great Sanhedrin, ..." This is true Judaism, not that foul, un-French religion sullied by centuries of rabbinism.
20. A not too heavily veiled threat.
21. From the HUCL collection. This document is the first of three (IV-D, E, and F) which deal primarily with the problem of Jewish beggars and peddlars in the Rhenish provinces.
22. They certainly were Jews, although the consistory would have preferred to have the government think that they were only pretending to be Jews. Viz. note 26 below.
23. Handing over these unassimilable Jews to the authorities is to become an article of religion preached by the rabbis.
24. From the HUCL collection. This document is a large poster (16" x 20") probably intended for display in the synagogues. It was issued three days after Document IV-D with the same purpose in mind. This suggests that the Nancy consistory received the same warning from the Central Consistory as did the Strasbourg consistory (viz. p. 130, first sentence).

This document is particularly noteworthy in that it clearly states for the first time the philosophy of a new middle class with a stake in capitalistic society.
25. What the grand rabbi seems to be saying is that as long as persecution existed and hospitality meant saving lives, it was all right; but in an age of justice, i. e. Napole-

onic France, hospitality is wrong and it is a corrupting influence.

26. The rabbi of Nancy did not stoop to suggesting that these individuals were not really Jews at all, as hinted (page 130) by the neighboring Strasbourgers.

27. Here we finally have the basic credo of the bourgeoisie of capitalistic society. This is the whole point of the constant harking upon the theme of entering the useful occupations: Work is the guardian of morality. Once this point were successfully assimilated into the consciousness of the Rhenish Jews, capitalism would be secure among them.

28. They constitute a serious threat to the stability of the new capitalism.

29. These Pletten or Bletten were charity slips entitling the bearer to meals in Jewish homes; viz. Document IV-F.

30. The idea of this last paragraph is that, if you can afford to give charity, you must give it for the training of poor youths and the support of the officially unfortunate, but definitely not for the wandering Jewish beggars and peddlars. Incidentally, though not wishing to cast aspersions on the scholarship of Rabbi Schweich, the biblical reference (Exodus 32) is incorrect.

31. From the HUCL collection. This document refers several times to the system of bletten or charity slips which were given to the poor for redemption in food at various Jewish homes. There is an eleven page German document in the HUCL collection, published by the Consistory of Wintzenheim in 1810 and entitled Auszug aus den Registern der Berathschlagungen des Konsistoriums der Israeliten des Wintzenheim-Bezirks, which deals specifically with the bletten system.

32. From the HUCL collection. This translation is the first half of a seven page pamphlet, the second half of which appears in this collection as Document II-C.

33. From the HUCL collection. This document, which is printed in German only, was translated for this paper by Max Selinger and Joseph Gutmann.

34. A license to do business.

35. This was the ultimate coercive weapon in the hands of the consistories. The consistories and, according to the provisions of this document, even the individual local surveillant commissioners had the power of confirming or rejecting applications by Jews for licenses to engage in business. It must be emphasized that these licenses were required for the transaction of any business. This licensing power guaranteed compliance by the Jews to the wishes of the consistories. It gave the consistories influence even over whatever Jews there may have been who disapproved of their activities.

BIBLIOGRAPHY

All of the documents, newspapers, and books cited in this bibliography may be found in:

1) Widener Library, Harvard University; 2) The Law School Library, Harvard University; or 3) The Hebrew Union College Library.

A. CONTEMPORARY DOCUMENTS

1. The untitled and as yet uncatalogued collection of documents purchased recently by the Hebrew Union College Library, of which forty-four are from the Napoleonic period and thirteen are translated and presented in this thesis.

2. A collection of nine pamphlets in Harvard's Widener Library, bound under the title of Jews in France: 1789-1819:
 - a. Nouvelle Adresse des Juifs à l'Assemblée Nationale; 1789.
 - b. Hymne à l'Occasion de la Paix; 1802.
 - c. Fête Religieuse célébrée à Paris ... à l'Occasion du Couronnement de Napoléon; 1805.
 - d. Prière récitée en Hébreu ... lors de la Célébration de la Fête de la Victoire ... aux champs d'Enzersdorf et de Wagram; 1809.
 - e. Cantique à l'Occasion de la Naissance du Roi de Rome; 1811.
 - f. Décisions Doctrinales du Grand Sanhédrin; 1812.
 - g. Discours prononcé par M. Abraham de Cologne ... à l'Occasion ... de la grande Victoire ... de Lutzen; 1813.
 - h. Discours Religieux prononcé le 21 Janvier 1815, à l'Occasion de la Cérémonie Funèbre célébré dans le Temple Israélite; 1815.
 - i. Observations du Consistoire Central des Israélites; 1819.

3. A collection of eleven pamphlets in Harvard's Widener Library, bound under the title of Jews in France: 1806-1830:
 - a. Hymne chanté par les Députés françois professant le culte de Moïse; 1806.
 - b. Discours prononcé à la Grande Synagogue de Paris, à l'Occasion de l'Ouverture du Grand Sanhédrin; 1807.

c. Epître aux Députés Français ... convoqués à Paris en Grand Sanhédrin; 1807.

d.-k. Eight pamphlets dated from 1818 to 1830 and dealing primarily with consistorial administration and the affairs of Michel Berr.

B. OTHER PRIMARY SOURCES

1. Alexander Brän, Gesammelte Actenstücke und öffentliche Verhandlungen über die Verbesserung der Juden in Frankreich, Hamburg, 1807.
2. Bulletin des Lois de l'Empire Français, vols. 32-43, Paris, 1808-1815.
3. E. Gifford, Memoirs of Napoleon Buonaparte, vol. 1, London, 1813.
4. Achille-Edmond Halphen, Recueil des Lois, Décrets, Ordonnances, Avis du Conseil d'Etat, Arrêtés et Réglements concernant les Israélites depuis la Révolution de 1789, Paris, 1851.
5. Imperial Commission, editor, Correspondance de Napoléon Ier, vol. 13, Paris, 1863.
6. F.D. Kirwan, editor and translator, Transactions of the Parisian Sanhedrim, or Acts of the Assembly of Israelitish Deputies of France and Italy, by Diogène Tama, London, 1807.
7. Journal de l'Empire, daily newspaper, Paris, 1808-1815.
8. Le Moniteur Universel, daily newspaper, Paris, 1808-1810.
9. Poujol, Quelques Observations concernant les Juifs, Paris, 1806.
10. Recueil contenant le Règlement Organique du Culte Judaique, et les Décrets Impériaux y relatifs; les

Réponses de L'Assemblée Générale des Israélites, tenue à Paris, aux Questions lui proposées; et les Décisions Doctrinales du Grand Sanhédrin, (no editor named), Coblentz, 1809.

11. Diogène Tama, Organisation Civile et Religieuse des Israélites de France et du Royaume d'Italie, Paris, Treuttel et Wurtz, 1808.

C. SECONDARY SOURCES

1. Robert Anchel, Les Juifs de France, Paris, J.B. Janin, 1946.
2. Robert Anchel, Napoléon et les Juifs, Paris, Les Presses Universitaires, 1928.
3. Léon Berman, Histoire des Juifs de France, Paris, Lipschutz, 1937.
4. Leon Brunschvicg, "Les Juifs de Nantes et du Pays Nantais" (Revue des Etudes Juives, vol. 19), Paris, 1889.
5. Abraham Cahen, "Le Rabbinate de Metz (1567-1871)" (Revue des Etudes Juives, vol. 13), Paris, 1886.
6. M.D. Dalloz, Répertoire de Législation, de Doctrine, et de Jurisprudence, under "Juifs", vol. 29, Paris, 1854.
7. Louis Farges, La Question Juive il y a Cent Ans, Paris, 1886.
8. Paul Fauchille, La Question Juive en France sous le Premier Empire, Paris, 1884.
9. N.M. Gelber, "La Police Autrichienne et le Sanhédrin de Napoléon" (Revue des Etudes Juives, vol. 83), Paris, 1927.
10. General Baron Gourgaud, Sainte-Hélène, Journal inédit de 1815 à 1818, Paris, 1899.

11. Heinrich Graetz, Geschichte der Juden, vol. 11, Leipzig, 1900.
12. Heinrich Graetz, History of the Jews, Bella Löwy, tr., vols. 4-5, Philadelphia, Jewish Publication Society of America, 1895.
13. Théophile Haliez, Des Juifs en France, de leur Etat Moral et Politique, Paris, 1845.
14. J. Christopher Herold, The Mind of Napoleon, New York, 1955.
15. Léon Kahn, Les Juifs de Paris pendant la Révolution, Paris, Ollendorff, 1899.
16. F.M. Kirchelsen, Napoleon's Autobiography: The Personal Memoirs of Bonaparte Compiled from his own Letters and Diaries, Frederick Collins, tr., New York, 1931.
17. Joseph Lémann, L'Entrée des Israélites dans la Société Française, Paris, Victor Lecoffre, 1886.
18. Israel Lévi, "Napoléon Ier et la Réunion du Grand Sanhédrin" (Revue des Etudes Juives, vol. 28), Paris, 1894.
19. Salomon Posener, "The Immediate Economic and Social Effects of the Emancipation of the Jews in France" (Jewish Social Studies, vol. 1), New York, 1939.
20. Salomon Posener, "Les Juifs sous le Premier Empire" (Revue des Etudes Juives, vols. 93-94), Paris, 1932-1933.
21. Abraham Shalom Yahuda, "Conception d'un Etat Juif par Napoléon" (Evidences, #19), Paris, 1951.