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Chapter 1

**FROM TOLERATED ALIENS
TO CITIZEN-SOLDIERS**

Jewish Military Service in the Era of Joseph II



Michael K. Silber

The history of Jewish military service is intimately attuned to the rhythms of emancipation, a sensitive register of its advances and setbacks. With the rise of modern nationalism, Jewish participation in wars of national liberation became symbolic capital in the struggle to earn a rightful place in the nation. Whether it was the valiant defense of Warsaw by the doomed Jewish Corps in 1794 under the command of the legendary Berek Joselewicz or the enthusiasm of the Jewish volunteers who flocked to the banner during the German Wars of Liberation in the struggle against Napoleon; the loyal service of Jewish National Guardsmen and soldiers (purportedly “20,000” in number) to the Magyar cause in 1848 and 1849 (explicitly acknowledged in the prefatory remarks to the law emancipating Jews during the waning days of Kossuth’s revolution); or the Jewish insurgents who joined Garibaldi’s red-shirts in 1860, the valor and often the disproportionate participation of Jewish men at arms were to be repeatedly invoked to demonstrate that Jews were no stepsons of the nation, but deserved to be emancipated and regarded as genuine Poles and Germans, Hungarians and Italians.¹ As a corollary, the military also accurately mirrored the retreat from emancipation in the twentieth century. The recurring accusations of shirking and cowardice during World War I; the notorious *Juden-zählung* (Jewish count) in Germany (and in some other countries as well) that sought to ascertain the percentage of Jews in combat units; the dismissal and exclusion of Jews from the officer corps during the interwar period in a number of countries; and the rele-

gation of Jews to mock military labor battalions in World War II Hungary, all signaled attempts to reverse Jewish emancipation and expel Jews as a body foreign to the nation.²

The link between Jewish military service and Jewish integration, however, predates the rise of modern nationalism, albeit by a scant few years. Not national membership, but rather the capacity for patriotism and the aptitude for fulfilling the obligations of citizenship were the terms of the initial emancipatory debate. Inclusion in the state rather than in the nation was then at issue. Moreover, the debate over Jewish military service did not begin in the more familiar context of budding nationalism engendered by the French Revolution, but rather arose a decade earlier in the framework of the enlightened absolutist state and the measures initiated by the Emperor Joseph II (1780–1790) in the Habsburg lands. His reform policies vis-à-vis his Jewish subjects set in motion a many-sided discourse that came to encompass Habsburg bureaucrats; men of the enlightenment, German for the most part, but in time French as well; *maskilim*, that is, adherents of a Jewish version of the enlightenment, the *Haskala*; and finally, representatives of traditional Jewish society. Constrained by considerations of space, what follows can only touch upon some of the themes of a longer study.³ It will be my contention here that the debate over Jewish military service as it evolved over the decade of the 1780s illustrates well the shift away from the time-honored notion (cherished by Jew and non-Jew alike) that Jews were merely tolerated aliens, to a perception that Jews were equal citizens with rights and obligations.⁴ Moreover, I argue that the dynamics of this historical process can only be fully grasped if one recognizes that it was driven by the interaction between the state and the public sphere in its enlightened, *maskilic* and traditional variations. And since the public discourse on Jewish military service most often transcended borders, the strategy of this analysis, while focusing on the policies of the Habsburg state, has been to adjust its scale of inquiry to transnational parameters.

“The most serious reason for asserting that Jews cannot obtain equal rights with the rest of the citizens,” wrote the Prussian *Aufklärer* and bureaucrat Christian Wilhelm Dohm in his *Ueber die bürgerliche Verbesserung der Juden*, the seminal treatise that inaugurated the debate over Jewish integration in 1781, “is the belief that Jews are prohibited by their religion from serving in the army.... [T]hey should not ask for equal rights in a society which they decline to defend in need.”⁵ In the decades to come, the demand to compromise religious practices for the sake of fulfilling obligations to the state was to create a severe challenge for observant Jews. But military service also posed a cluster of problems that went beyond the question of religious compatibility with patriotic duty. In effect, it came to epitomize the general demand for “the physical, moral and political regeneration of the Jews” (the title of a key treatise to which we will return), a process that even the most sympathetic advocates of the Jewish cause felt was a necessary prerequisite to successful integration.⁶ The Jewish soldier, as we shall see, came to represent the very embodiment of the problematic of emancipation.

The history of Jewish military conscription during Joseph II's reign can be conveniently divided into three stages: during the first two years of intensive debate over Jewish integration sparked off by Dohm's pamphlet and Joseph's Edict of Toleration—from the summer of 1781 until 1783—almost every major statement for or against the Jewish integration raised the question of the possibility and desirability of Jewish army service. Characteristic of this period was that neither the state nor traditional Jewish society played any part in the theoretical discussions that ranged over the psychological, physiological, and historical aspects of Jewish military service, as well as whether such service was permitted by Jewish law, the *halakha*. The debates were conducted by publicists in Austria and Germany—enlightened Gentiles for the most part, although some *maskilim* (followers of the *Haskala*, the Jewish variant of the *Aufklärung*), notably the famous philosopher Moses Mendelssohn, also participated. The second phase, from the summer of 1787 to the summer of 1788, involved deliberations within the Habsburg state and military bureaucracy over the feasibility of army service for the Jews.⁷ Many of the issues that had been raised five or six years earlier were now hammered out between the Emperor, the Chancellery, and the War Council, this time with very practical results. First the Jews of Galicia, then of other Habsburg lands were called upon to provide Jewish recruits for the army. The third period, from the summer of 1788 extending into Leopold II's reign until the end of 1790, was more complicated: the traditional Jewish sector declared its opposition to military service through circulars to other Jewish communities, and petitions to the emperor. For the first time there were *maskilim* who openly clashed with the traditional leadership over this issue, while enlightened Gentile public opinion quickly closed ranks and stood squarely behind the measure. Surprisingly, however, some *maskilim* expressed sharp reservations on the desirability and fairness of Jewish army service. The first decade of the controversy surrounding the military conscription of the Jews revealed a complex interplay between enlightened absolutism, the public sphere, the *Haskala*, and traditional Jewish society.

In the autumn of 1781, Joseph II issued a number of far-reaching decrees, among them the emancipation of the serfs and several Edicts of Toleration for his non-Catholic subjects, Christians and Jews alike. Each of the provinces where major Jewish populations were to be found received its own version of a Jewish *Toleranzpatent* suited to local conditions. Altogether, eight such edicts were decreed during Joseph's reign.⁸ In general, the *Toleranzpatent* removed many of the restrictions on Jewish economic activities, allowing Jews to engage in all branches of commerce and the handicrafts, and encouraged Jews to obtain secular, German education. Although initially Jewish military service received only passing mention in the internal deliberations of the Habsburg state bureaucracy,⁹ clearly it was the news of Joseph's legislation that sparked off controversy over the issue both in the Habsburg lands and in the German states. Preceded by several pamphlets in Vienna and Prague,¹⁰ it was, nevertheless, the threefold exchange between Christian Wilhelm Dohm, Johann David Michaelis, and Moses Mendelssohn

that provided the most interesting statements. That Dohm was serving at the time as a Prussian bureaucrat on the War Council and Michaelis was a famous Göttingen theologian and orientalist who had specialized in the history of biblical law made for an unusually informed debate.

Could Jews be expected to discharge the duties incumbent upon them as citizens? Did their religion necessarily conflict with service in the army? Could Judaism be made to accommodate the demands of the state? These were the questions raised by Dohm in 1781 in his famous treatise on the civic improvement of the Jews. Improvement was the key concept, with a double-edged message: the state should ameliorate the political and legal position of the Jews by eliminating the discriminatory legislation of centuries. The newly created economic and cultural opportunities would in time transform and regenerate the Jews, for in their present state they were a corrupted and twisted people much in need of cultural, moral, and spiritual improvement. In general, Dohm came close to advocating civic, even political equality for the Jews. But in the closing pages of his pamphlet he conceded that if the Jewish religion placed insurmountable obstacles in the path of military service, then withholding legal equality would be perfectly understandable and justified. Two years later, in the second volume of his work, Dohm devoted an entire chapter to this question, and went even further: if their religion prevented Jews from military service, then the state should either impose a quota restricting the size of the Jewish population or expel the Jews from the country altogether.¹¹ “Everything depends on whether or not the following is correct,” wrote Dohm, “that service by Jews in the army is prohibited by their religion.”¹²

The primary obstacle was not that Judaism preached pacifism, as did some Christian sects, but rather the violation of the sanctity of the Sabbath by fighting on that day. Both Mosaic law and the evidence of ancient history, he argued, demonstrated that whether in possession of their own kingdom or after the loss of their sovereignty, Jews acquitted themselves honorably on the battlefield even on the Sabbath and “fulfilled their duty as citizens.” Jewish religious law was no obstacle to military service, Dohm argued. On the contrary, “a great Jewish scholar” had assured him that military service was as permissible in the present as it had been in ancient times. Dohm’s proof text was the Code of Maimonides, *The Laws of the Shabbat*, 2:23–25, which emphasized the duty to participate in defense of a besieged city on the Sabbath even if only one life was threatened. Later, Dohm would point to two oft-cited contemporary instances that buttressed his case: participation of Jews in the militia in Surinam, and the “dispensation” of the rabbi of Amsterdam in 1781 that permitted Jews to fight on the Sabbath in the battle between the Dutch and English fleets.¹³

However, all this was in theory. In practice, Dohm was compelled to concede that for the moment, German Jews were physically and morally ill-prepared to serve in the military. It would take several generations of improved treatment by the state before Jews would eventually emerge regenerated and then, returning to the “nobler and freer spirit” of the ancient Mosaic religion, “reform their reli-

gious laws and regulations according to the demands of society.” And although until that time Jews could not possibly enjoy full political equality, there was no reason why the state could not treat them as useful members of society, much the same as the Quakers and other pacifist sects. Their military obligations could be fulfilled by hired substitutes, for which Jews would have to pay quite justly a special tax. While it was true that military service since ancient times had been the touchstone of true citizenship and patriotism, the nature of *modern* armies and warfare, Dohm argued, had changed all that. “In our times wars are not conducted by armies of patriotic citizens fighting for freedom and country, but by hired mercenaries in whom skilled performance, strict subordination and a slowly developing feeling of professional honor take the place of patriotic zeal. . . . So it is for our governments in most cases a matter of indifference whether the subject serves in the army in person or pays a sum of money, for which in many cases stronger and better skilled fighters than they can be hired.”¹⁴

How striking that these views on the nature of modern soldiering—expressed by a Prussian war councilor, no less!—were to prove obsolete almost overnight. Not only were they contradicted by the appearance of citizen armies in revolutionary France a decade later, but even earlier, they were challenged by measures taken by Joseph II, and precisely, as we shall see, in the context of Jewish military service.

Michaelis, a prominent professor of Biblical and Oriental studies at Göttingen, agreed that military service was indeed the decisive issue that should determine whether Jews deserved equality, but he did not share Dohm’s lukewarm optimism. “Jews will not contribute soldiers to the state as long as they do not change their religious views.” For the present, he felt that the obstacles posed by the Jewish religion were insurmountable. In consequence of their belief in the messianic restoration of Israel to their land, Jews would always consider themselves a transient alien nation, and therefore were incapable of possessing patriotic sentiment. As to the Jewish legal proof of “the great Jewish scholar,” Michaelis scornfully dismissed it: Maimonides had permitted Jews to wage only a defensive war. In any other category of warfare, he noted, “Jews will not fight on the Sabbath, for they are forbidden to do so if not attacked.” Not only observance of the Sabbath and the innumerable holidays and fast days, but also their special diet would pose problems. “As long as they observe the laws about kosher and non-kosher food it will be almost impossible to integrate them into our ranks.” And even if this could be solved by creating separate Jewish units, yet another problem would pose an insurmountable obstacle: “the oath of the Jews is one of the most complicated matters in the world.” In any case, he concluded maliciously, Jews as a race were much too short to meet the criteria of modern European armies!¹⁵

Moses Mendelssohn—no doubt Dohm’s “great Jewish scholar” and perhaps the butt of Michaelis’s jab on short Jews—did not address himself to the concrete *halakhic* (Jewish legal) issues, but offered instead a coldly dispassionate and rather cynical observation on the pragmatic nature of men in general. “When personal

convictions conflict with the laws it is up to the individual to resolve this problem on his own. If then the fatherland is to be defended, everybody who is called upon to do so must comply. In such cases, men usually know how to modify their convictions and to adjust them to their civic duty. One merely has to avoid excessively emphasizing the conflict between the two.” Of the three *Aufklärer*, Mendelssohn alone remained unperturbed by the religious problems arising out of Jewish military service, yet it is worth noting that he envisaged such a possibility only in the distant future. “In a few centuries, the problem will disappear or be forgotten.” Like Dohm, he anticipated that in practice it would take a long time before Jewish society would learn to adjust to the new realities, but he did not doubt that time would gradually erode religious objections. “In this way,” he concluded wryly, “Christians have neglected the doctrines of their founders and have become conquerors, oppressors and slave-traders, and in this way, Jews too could be made fit for military service. But it is obvious that they will have to be of the proper height, as Herr Michaelis wisely reminds us, unless,” he added mischievously, “they are merely to be used against hostile pygmies and fellow Jews.”¹⁶

The leisurely evolution envisaged by Mendelssohn and Dohm was not to be. Not centuries, but a scant few years were to pass before Mendelssohn’s prediction was put to test. In August 1787, the governor of Galicia, Count Brigido, presented a proposal for a comprehensive legislation that would determine the status of the Jews under his authority. This Edict of Toleration for the Jews of Galicia was to be much more far-reaching than any of Joseph’s previous reforms. Among the many paragraphs of Brigido’s proposal was one suggesting the conscription of Jews into the transport corps. On February 18, 1788, the Emperor ordered the Jews of Galicia to be recruited as drivers in the service corps and the artillery. (Jews had long served as army suppliers, and the cart driver was a familiar Jewish profession.) They were to begin serving immediately in the war that had just broken out with the Turks.¹⁷

The War Council was taken aback. Not only had it not been consulted on this decision, but already three years earlier it had expressed its negative views on Jewish military service. When in 1785 the Chancellery had proposed that Jews be inducted into the transport corps, the War Council had declined on the grounds that the newly created corps was a regular part of the army since 1782, and thus had no place for Jews. The Council, however, had no objection to hiring Jewish civilians on a contractual basis.¹⁸ Now in 1788, Field Marshal Hadik, the president of the War Council, pointed to the needless difficulties that Sabbath observance and Jewish dietary laws would pose, to both the army and the Jews. The Court Chancellery, however, remained unconvinced. The problems of religious observance could be solved by setting up small groups of separate Jewish *Kameradschaften* where Jews would be able to cook and worship together, as well as by encouraging commanders to exercise sensitivity and discretion when assigning Jews to do work on the Sabbath. Jewish religion and army life need not clash: as ancient history illustrated, it was precisely in the era when Jews were most true to their laws that they gained renown as a martial and often victorious people.

Undaunted, the War Council once again marshaled its arguments against conscripting the Jews. Ancient history was not relevant to present-day realities. Besides, conscripting Jews would run counter to the emperor's policy of religious toleration, for in the army they would unavoidably be coerced into violating their Sabbath and their dietary laws. In any case, Hadik concluded, there was no shortage of manpower; there were more than enough recruits available for transport. Perhaps it would be better to reconsider and suspend Jewish conscription for the duration of the war and once peace returned, to think of creating a separate Jewish corps.¹⁹

The emperor was not moved. There could be no question that Jews would have to serve in the army. In order to satisfy their religious needs, however, they were to be assigned exclusively to the transport corps and be allowed to set up separate *Kameradschaften* for cooking. As for work on the Sabbath, Joseph was adamant. They were to be treated exactly like Christians. Jews would not be exempt on Saturdays from carrying out those duties that Christians were obligated to perform on Sundays. On June 4, 1788, Joseph issued a court decree extending military conscription of Jews to all of his provinces.²⁰

It is clear from this exchange that in his insistence that Jews be obligated to serve in the army, Joseph was not prompted by utilitarian calculations, a charge that is often leveled at the emperor by Jewish historians. It was precisely pragmatic considerations that had led the military establishment to argue that the gain in Jewish manpower would be more than offset by the logistic headaches bound to be caused by Jewish religious observance. The contrast between Joseph's uncompromising views and that of the more pliant and pragmatic War Council (or for that matter another war councilor, the Prussian Dohm) was further highlighted in the coming days. On July 10, Galician Jewry submitted a petition to the emperor requesting that Jews be exempt from military obligation altogether in light of the hardships army life would pose to religious observance. Invoking the emperor's stated policy of religious toleration, they further suggested that Jews, if not exempt from the obligation altogether, be at least able to provide substitutes or a redemption fee. Experienced mercenaries could be hired instead.²¹ Joseph sharply rejected the War Council's rather self-congratulatory recommendation that the petition be granted and this despite the fact that it ran counter to the Council's overall recruiting policy. Joseph would have none of this. He stood firm and closed the matter in his resolution on August 19, 1788, dashing all hopes of exemption or substitution. In a passage that was to recur in several pieces of subsequent legislation, he stated: "Without any further considerations, the Jew as a man and as a fellow-citizen [*Mitbürger*] will perform the same service that everyone else is obligated to do. His religion will not suffer thereby. He will be free to eat what he will and will be required to work only on that which is necessary during the Sabbath, much the same as Christians are obligated to perform on Sundays."²² Whereas Dohm, we may recall, saw no real obstacle to Jews fulfilling their obligations to the state by providing mercenary substitutes, Joseph insisted that despite their questionable utility, "the Jew as a man and a fellow-

citizen” had duties that could not be palmed off, duties that he was obligated to perform in person.

Again in contrast to the War Council, Joseph and apparently the more enlightened elements of his Chancellery did not seem overly concerned over the potential clash between the Jew’s religion and his obligation to the state. Entirely absent from the discussion was the *halakhic* problem that had so troubled Michaelis and Dohm, whether it was permissible to wage an offensive war on the Sabbath. The problem posed by army life to religious Jews was one not so much of principle, as of inhospitable social and cultural environment, and here Joseph was clearly impatient with the overly cautious attitude of the War Council. Jewish objections were not to be indulged; in time, as they would become more enlightened and free of their ancient prejudices, their attitudes to military service would also change. In practice, the Josephinian state was remarkably sensitive to the specific needs of the Jewish recruit. In 1788, for instance, the army provided Jewish soldiers separate uniforms free of *shatnez*, that is, the mix of fibers prohibited by Jewish law. But Josephinian sensitivity had its limits. The War Council’s suggestion that Jews be concentrated in separate Jewish regiments was rejected, and even maintaining the separate *Kameradschaften* was often impossible in wartime. Jewish soldiers would usually purchase kosher food from nearby Jewish communities, but this was impracticable when Jews were stationed in locations far from Jewish settlements.²³

In response to the objections of Galician Jewry to personal military service, Joseph and the Chancellery adopted a measure that was truly pioneering, and marked an important advance toward Jewish integration. In their petition to the emperor, the Galician deputation had argued that the Jewish soldier was denied a fair deal, because in the army no matter how dedicated or distinguished the service, there would be as little opportunity for advancement as in the civil sector.²⁴ Indeed, Marshal Hadik had expressly argued earlier in April that the army’s esprit de corps and honor would be damaged if Jews, who were excluded in civilian life from certain advancements, would be promoted to positions of command over Christian soldiers.²⁵ However, in his recommendation to the emperor a few months later, Chancellor Kollowrat rejected Galician Jewry’s objections as unfounded. “Since Your Majesty has graciously granted that Jews like Christians can be qualified for every public office, it therefore follows that in the military profession as well, they can look forward to all promotions which men of other faith can claim to merit.”²⁶ Here the chancellor seemed to echo what Joseph had already decreed for non-Catholics in the 1781 Edict of Toleration: “The sole criteria in all choices or appointments to official posts are—as has long been the case in Our army, without the least difficulty and with great benefit—to be the candidate’s integrity and competence, and also his Christian and moral way of life; difference of religion is to be disregarded.”²⁷ Thus it was the discussions over Jewish military service and promotion to positions of authority over Christians that led to questions of citizenship and to notions of some sort of equality. Were Jews commissioned as officers during Joseph’s reign? Perhaps, if we are to believe



a newspaper correspondent from Frankfurt am Main who reported that already in 1788 Prince von Hohenlohe had promoted a Jew in his Szekler Hussars to *Wachmeister*, sergeant. “Two others who had already served as noncommissioned officers [*Unteroffiziere*], were promoted to lieutenants in the Bukassowich Freikorps.”²⁸

During the initial years of Joseph’s reign, Jewish military service was most heatedly debated in the public sphere while the matter was noticeably absent from legislation and bureaucratic deliberations. But by the later part of the decade, it was the measures adopted by Joseph and the more enlightened of his bureaucrats that decided the issue once and for all. If before the Galician conscription, segments of enlightened opinion could still hesitate about the possibility of Jewish army service or view it as a distant prospect, after the spring of 1788 the debate moved on to a different plane. A good illustration of the widespread effect of the Habsburg legislation is the way it influenced the views of two participants in the famous essay contest sponsored by the Academy of Metz in France in 1787.²⁹ Zalkind Hourwitz, a member of the more radical *Haskala*, weighed the possibility of military service, but then dismissed it because the numerous Talmudic prohibitions on working, traveling, riding, etc. on the Sabbath, along with other severities “rendered the Jews absolutely incapable of military service in the field.” He added, however, that they might participate in the militia for the internal defense of the kingdom. On Saturdays, Christians would take their place, while Jews would mount guard on Sundays as was the practice in Surinam and other Dutch colonies.³⁰ Interestingly, although Hourwitz was familiar with

the Dohm-Michaelis-Mendelssohn exchange, he tended toward the cautious and skeptical assessment of Dohm. It is inconceivable, however, that Hourwitz would have taken this tack after the Galician draft had become a *fait accompli*. Another participant of the Metz contest, the Abbé Grégoire, also recalled some of Michaelis and Dohm's arguments for and against conscription. Unlike Hourwitz, however, he was already acquainted with the measures taken by Joseph II; moreover he knew that "the Jewish journalists of Berlin" had of late allayed the fears of their brethren concerning violations of the Sabbath.³¹ As a result of Joseph's legislation, theory was now put into practice and many of the points that had previously occasioned fierce debate now no longer seemed to pose problems, and were laid to rest. Other issues, however, now loomed large.

The general Jewish public greeted news of the draft with general consternation. "There was a great mourning among the Jews," wrote representatives of Galician Jewry to Mantua, "public fasting, weeping and wailing.... Many of our people fled to the uninhabited wilderness."³² In 1788 and in the following years, many young Jews took to hiding in the forests and other desolate areas. Others crossed the border to still independent parts of Poland, or after 1790, to Hungary, where Jews managed to regain their exemption. Flight in the Stanislaw district was so massive that it prompted one hostile official to express the guarded hope that Galicia would soon be rid of its Jews.³³ "In every city of the empire where Jews live, they resist the imperial decree," wrote the German *maskil* Saul Ascher not entirely without sympathy.³⁴ In one celebrated instance the resistance took a violent turn as Jews armed with clubs confronted a press gang in Brody. It took armed troops hastily rushed from Lemberg/Lwów to put down this spontaneous insurrection.³⁵

"There is no denying that this decree has instilled in the people an extraordinary dread and despair," wrote the enlightened anonymous "rabbi of Gradiska." The army was undeniably a disagreeable place. Military life was fraught with hardship, long years of service, unpleasant conditions, all in the company of the "lowest masses" of Gentile society. Unfortunately, the rabbi lamented, Jews could expect only crass prejudice from their fellow recruits, and worse, the petty tyranny of the NCOs who handled Jews with "inhuman religious hate."³⁶

It was, however, the overriding fear that army life was inimical to religious observance that formed the primary objection of traditional Jews. "You must be well aware that those Jews who will be called on to serve in the army will in time forget God's Torah," despaired the circular of Galician Jewish deputies. "For who will feed them kosher food? They will have to desecrate the Sabbath, neglect prayers and God's Torah and other commandments. They will mix with the Gentiles and learn their ways, one Jew among a thousand Gentiles. This concerns the uprooting of our faith and God forbid apostasy!"³⁷ The circular, which was sent in the summer of 1788 to the Italian Jewish communities (and presumably others elsewhere as well) to mobilize their support at court, also seemed to hint that Jews could legitimately claim exemption from the army, at least from their own strictly *halakhic* viewpoint. "God made us faint of heart!" wailed the

deputies, possibly an oblique invocation of a category that was indeed spared military service by Jewish law—cowards.

It was clear that the fears of the traditional leadership focused not on any *halakhic* violation of fighting an offensive war on the Sabbath, but rather on the sociology of religious life in the army. As those maskilim who were in favor of the army service pointed out, the *halakha* provided a broad leeway so that even the violation of the Sabbath and kashrut laws could be permitted under mitigating circumstances.³⁸ Indeed, the deputies of Galician Jewry, both in their petition to the emperor and in their circular to the Jewish communities silently conceded these points and avoided emphasizing the strictly legal issues.

Although *halakhically* permissible, it was nevertheless, clearly undesirable to have a large number of impressionable young men lead a life of religious deviance over an extended period in spite of the religious sanction—or perhaps because of it. The fears of the traditional leadership focused on the lack of time and resources to fulfill basic religious requirements; the imposed uniformity and hierarchy of the military; the pressure of peers so typical of army life; the exposure and close contact with non-Jews—at times their friendship, more often their antagonism and ridicule. All this could wear down the resolution of the most dedicated pious recruit. Indeed, as news of the first draft spread, it became clear that many young soldiers were confused when for the first time in their lives they were exposed to a nonobservant lifestyle. In his chronicle of these years, Abraham Trebitsch was to recall the contingent of young recruits from upper Moravia who passed through his hometown, Nikolsburg/Mikulov, in the summer of 1788. “Among them were those who ate non-kosher food.... They ate leavened food on Passover and drank Gentile wine. They do not observe the Sabbath....” Later, at the beginning of 1789, conscription began in his community as well, and the young, impressionable soldiers were told to take this principle to heart: “If one is coerced into sin, God forgives, but this should provide no excuse for willful transgression.”³⁹ Many feared that the experience of these young men would not be confined to the army, that upon returning home, they and perhaps others would be unable to retain the *halakhic* distinction of army versus civilian life.

The *maskilim* who favored the Emperor’s move found ready answers to allay these fears. For the first time, during the summer of 1788, the idea was mooted to convene an assembly of lay and rabbinic leaders who would decide authoritatively how to reconcile Jewish religion with the demands of the state. This, the *maskilim* argued, would give firm guidelines to Jews both in the army and in civilian life, as well as reassure the state that Judaism posed no conflict to a citizen’s duties.⁴⁰

There were, however, *maskilim* who felt uneasy with Joseph’s conscription of the Jews. Elia Morpurgo, Saul Ascher, and Mendel Lefin all expressed reservations about the measure, whether because of the severity and brutality with which recruitment was carried out, or because of the humiliation that service in the transport corps implied, or simply because as long as Jews remained discriminated against and were not equal citizens, there was no justice in obligating them to fulfill a citizen’s duties.⁴¹

The Galician *Judenpatent* of 1789, however, changed all this. Jews were now granted “equality.” They could participate in elections, and even be elected to public office.⁴² Now that they were permitted to volunteer for combat units and apparently could be promoted to officer rank, whatever objections the *Haskala* camp may have had all but disappeared. Indeed, the lines were clearly drawn in Prague when the government contemplated extending the Galician decree to Bohemia. The conservative faction was willing to forego the promise of equality and, after Joseph II’s death, petitioned Emperor Leopold to revoke military conscription and reinstate traditional communal autonomy and the rabbinical courts.⁴³ The *maskilim*, on the other hand, urged the state to ignore the conservative petition and presented a long brief arguing the permissibility, even the obligation of Jews to serve in the army.⁴⁴ This clash in the Habsburg realm paralleled similar debates taking place between conservatives and progressives in France during those very months on the desirability of citizenship with its new rights and obligations versus a return to the traditional communal autonomy and corporative privileges enjoyed by tolerated aliens.⁴⁵ In the Habsburg Monarchy, it was military service as a civic obligation that gave rise to a complex discourse on Jewish equality and the price of citizenship, one that came to envisage the transformation of the alien “Jewish nation” into citizen-soldiers even before the outbreak of the French Revolution.

Military conscription affected a higher percentage of Jews in the Habsburg empire during this period than in Russia during the notorious reign of Nicholas I. Warfare interrupted intermittently by a few years of uneasy peace marked the period between 1788 and 1815. Aside from France, and Prussia toward the very end of the war, only the Habsburg Monarchy conscripted Jews during these decades. As early as 1803, one Galician bureaucrat estimated that more than 15,000 Jews had served under the Austrian flag during the French Wars. In the first decade of the nineteenth century, about 1,400 Jews were being recruited annually in peacetime, and considerably more when war was waged. Of the half-million men recruited in 1814, we can place the number of Jews at somewhere between 15,000 and 19,000. Indeed, this was close to the figure of 17,000 Jewish soldiers that an Austrian publicist had calculated was serving in 1809 alone. Thus, the claim made in 1821 by Viennese Jewry that altogether 35,000 Jewish soldiers had served in the quarter of a century of warfare with the French does not seem exaggerated.⁴⁶

After years of service, many returned to their communities alienated from religious practice. Soldiers rapidly acquired unsavory reputations. Later rabbinic literature is replete with negative assessments of their dubious moral and religious character. In anticipation, the leaders of the Jewish community often tried to select the recruits from the more marginal elements of the community. Nevertheless, it should be noted that the Habsburg conscription did not bring about a crisis in Jewish leadership that the cantonist edicts in Russia were to generate two generations later.⁴⁷ To a large extent this can be attributed to the fact that men under eighteen were seldom drafted, and if they were, the practice ran counter

to army regulations. Moreover, this was a period of constant warfare when a considerable part of the Christian population was called to arms. Despite the fact that in the popular Jewish mind military conscription was perceived as a *gezerah*—a cruel decree—the harshness of the measure was perhaps mitigated by the tacit acknowledgement that Jews were not being singled out for discrimination. Basically they were treated justly, placed on a footing as equal as one could attain in a society that still preserved class and estate distinctions.

A new sense of patriotism swept the Jewish communities in the last third of the eighteenth century, a growing identification with the monarch, the state, and the inhabitants of the land. A certain shift in political culture was discernable even in the traditional establishment.⁴⁸ While not all aspects of Joseph II's reforms were universally appreciated, nevertheless, the logic of citizenship with its rights and obligations became increasingly internalized. During the reigns of his successors there was a retreat from the ambitious vision of Joseph II. His nephew Francis, who ascended to the throne in 1793, eventually decreed a much-truncated version of the Galician *Judenpatent* for his Bohemian lands in 1797, a piece of legislation that well illustrates the contradictions between leftover liberal rhetoric and increasingly reactionary measures that became the hallmark of Habsburg policy toward the Jews in the early nineteenth century.⁴⁹ Nowhere were these inconsistencies felt more than in the demand that Jews fulfill their duties as citizen-soldiers while continuing to suffer old disabilities. In 1810, the leaders of Hungarian Jewry presented a petition requesting that the Toleration Tax be abolished. "In the past, the Toleration Tax meant exemption from military service. From this exemption one concluded that the Jew, therefore, was not regarded as a native because he did not defend the country and was excluded from the rights of a citizen [*Bürger*].... For almost twenty years now this nation [*Nazione*] is no longer exempt from this obligation; the Jew must now spill his blood as well as the Christian in the defense of the fatherland. In most European states the consequence that one draws from this circumstance is that once Jews fulfill the obligations of a citizen, they should be invested with the rights of the citizen."⁵⁰ The petitioners pleaded to no avail. Well over a generation was to pass until the Toleration Tax was abolished in 1846, on the eve of the 1848/1849 revolutions. Then, a renewed attempt was made to realize the unfulfilled promise of integration in return for military service, but under much changed circumstances. This time what was at stake was not citizenship under the enlightened absolutism of Joseph II, but rather membership in the awakening nation.

Notes

1. Majer Balaban, ed., *Album pamiątkowy ku czci Berka Joselewicza, pułkownika wojsk polskich w 125-letnią rocznicę jego bohaterskiej śmierci 1809–1934* (Warsaw, 1934); Moritz Stern, *Aus der Zeit der deutschen Befreiungskriege 1813–1815*, 5 vols. (Berlin, 1918–1938); Béla Bernstein, *Az 1848/1849-iki magyar szabadságharcz és a zsidók* (Budapest, 1898); Gina Formigini, *Stella d'Italia, stella di David: gli ebrei dal Risorgimento alla Resistenza* (Milano, 1998).

2. Werner T. Angress, "Prussia's Army and the Jewish Reserve Officer Controversy Before World War I," *Leo Baeck Institute Yearbook [LBIYB]*, vol. 17 (1972):19–42; idem, "The German Army's Judenanzählung of 1916," *LBIYB*, vol. 23 (1978):117–137; Jacob Rosenthal, "The Counting of the Jews' by the German Army in the First World War" (Hebrew) (Ph.D. Diss., Hebrew University, 2002); Randolph L. Braham, ed., *The Wartime System of Labor Service in Hungary: Varieties of Experiences* (New York, 1995).
3. I plan to publish some of the key documents relating to the initial conscription of Jews in Galicia in 1788 with English translations in a forthcoming annual of *Gal-Ed: On the History of the Jews in Poland*. A companion piece, exploring the efforts of the intercessor (*shtadlan*) Koppel Theben to exempt Hungarian Jews from army service, will appear in the *Simon Dubnow Institute Yearbook*.
4. This assertion must be hedged by two caveats: equality was to be realized within what was still a quasi-feudal society that persisted in maintaining legally differentiated orders; and citizenship was within the context of an enlightened absolutist empire, rather than the modern nation-state.
5. Christian Wilhelm Dohm, *Ueber die bürgerliche Verbesserung der Juden* (Berlin, 1781). I use the English translation of Helen Lederer, *Concerning the Amelioration of the Civil Status of the Jews* (Cincinnati, 1957), 75.
6. The reference is to Abbé [Henri-Baptiste] Grégoire, *Essai sur la régénération physique, morale et politique des juifs: ouvrage couronné par la Société Royale des Sciences et des Arts de Metz, le 23 août 1788* (Metz, 1789).
7. Three important studies based on archival materials are Gerson Wolf, "Wie wurden die Juden in Oesterreich militärpflichtig?" *Wiener Jahrbuch für Israeliten* 5628 (Vienna, 1868), 34–66; Wenzel Záček, "Zu den Anfängen der Militärpflichtigkeit der Juden in Böhmen," *Jahrbuch der Gesellschaft für Geschichte der Juden in der ČSR [=JGGJČ]*, vol. 7 (1935): 265–303; and especially Erwin A. Schmidl, *Juden in der k. (u.) k. Armee, 1788–1918—Jews in the Habsburg Armed Forces [=Studia Judaica Austriaca XI]* (Eisenstadt, 1989), 96–103. I owe much to this fine study. A superb overview is István Deák, *Jewish Soldiers in Austro-Hungarian Society*, Leo Baeck Memorial Lecture 34 (New York, 1990). I, too, dealt with this subject earlier in my master's thesis (submitted to István Deák), "Absolutism, Hungary and the Jews: A Comparative Study of Military Conscription of the Jews in the Habsburg Lands: 1788–1815" (Columbia University, 1977), which however, was based only on published sources.
8. This is the sequence: Bohemia (10 October 1781); Silesia (15 December 1781); the Italian lands (rather a reiteration of existing privileges at the end of 1781); Vienna and Lower Austria (the most familiar in 2 January 1782); Moravia (13 February 1782); Hungary (31 March 1783); and Galicia (27 May 1785 and 7 May 1789). The 1789 Galician *Judenpatent* was meant to be applied uniformly throughout each of the provinces of the empire, and the measure was prevented only by Joseph's premature death in 1790. The texts of the edicts are conveniently assembled in Joseph Karniel, *Die Toleranzpolitik Kaiser Josephs II.* (Stuttgart, 1986), 547–585. Some of the key pieces of Joseph's legislation can be found in English translation in C.A. Macartney, ed., *The Habsburg and Hohenzollern Dynasties in the Seventeenth and Eighteenth Centuries* (New York, 1970).
9. One such remark was made by Staatsrat Kressl in the summer of 1781, see A.F. Pribram, ed., *Urkunden und Akten zur Geschichte der Juden in Wien, 1526–1847 (1849)*, 2 vols. (Vienna and Leipzig, 1918), vol. I, 443; another by the Hungarian Chancellery in the fall of 1782, cited by Henrik Marczali, "A magyarországi zsidók II. József korában" [Hungarian Jews in the Era of Joseph II], *Magyar Zsidó Szemle [MZsSz]* I (1884): 358–359.
10. *Die Juden so wie sie sind, und wie sie seyn sollen. Zweyte Auflage* (Vienna, 1781), 34–38. The booklet was written after Joseph's intentions became known in the summer (see 45), but before any of the Edicts of Toleration were issued in the fall. The illustration on the title page depicts a number of Jews, one of whom is shouldering a rifle with a bayonet. More in-

fluential was [Ignatz Klinger], *Über die Unnützlich- und Schädlichkeit der Juden im Königreiche Böhmen und Mähren. Zweyte Auflage* (Prague, 1782). This pamphlet attacked the liberal position taken by L.A. Hoffmann, *Über die Duldung der Juden* (1781) written already in 1780, while Maria Theresia was still alive. Klinger notes in the second edition the popularity of the first run, which had sold 700 copies in two days (75). It played an influential role in the discussions among government circles in the fall of 1781, especially in Bohemia. Many concurred with Klinger, though their tone was more restrained. The pamphlet was already discussed on 8 October 1781 by the censor commission. See Ludwig Singer, "Zur Geschichte der Juden in Böhmen in den letzten Jahren Josefs II. und unter Leopold II.," *JGGJČ*, vol. 1 (1934): 245–248. On 20 October 1781, Joseph II himself approved the manuscript. Sebastian Brunner, *Mysterien der Aufklärung* (Mainz, 1869), 390. The Viennese edition of this work was further discussed in 1782 in the Staatsrat (1807/1782); see Oskar Sashegyi, *Zensur und Geistesfreiheit unter Joseph II. Beitrag zur Kulturgeschichte der Habsburgischen Länder* [= *Studia Historica* 16] (Budapest, 1958), 55.

11. Christian Wilhelm Dohm, "Fortgesetzte Beantwortung des Einwurfs, dass die Juden nicht zu Kriegsdiensten fähig seyn würden," in his *Ueber die bürgerlichen Verbesserung der Juden*, 2 vols. (Berlin and Stettin, 1783), vol. II, 242.
12. Dohm, *Concerning the Amelioration of the Civil Status of the Jews*, 75.
13. See his letter to Mendelssohn, 23 October 1781, in Alexander Altmann, "Letters from Dohm to Mendelssohn," *Salo Wittmayer Baron Jubilee Volume* (Jerusalem, 1975), vol. I (English section), 46; the appendix to the French translation of Dohm's pamphlet first published in April 1782, *De la réforme politique des Juifs* traduire par Jean Bernoulli, Préface et Notes de Dominique Bourel (Paris, 1984), 111–112; and Dohm's reply to his critic, "33. Ueber die *Juden Toleranz*, Antwort auf oben Heft LVIII, S. 250 Berlin, 5 April 1782," in August Ludwig Schlözer, *Briefwechsel, meist historischen und politischen Inhalts*, Theil X, vols. LV–LX (Göttingen, 1782), 279–283.
14. *Ibid.*, 80–83.
15. Johann David Michaelis, "Hr. Ritter Michaelis Beurtheilung: Ueber die bürgerliche Verbesserung der Juden von Christian Wilhelm Dohm," in Dohm, *Ueber die bürgerlichen Verbesserung der Juden*, vol. II, 44–64. The translations are from *The Jew in the Modern World: A Documentary History*, edited by Paul R. Mendes-Flohr and Jehuda Reinharz (New York, 1980), 38.
16. Moses Mendelssohn, "Anmerkung über diese Beurtheilung [Michaelis] von Hrn. Moses Mendelssohn," in Dohm, *Ueber die bürgerlichen Verbesserung der Juden*, vol. II, translation in *The Jew in the Modern World*, 43.
17. Wolf, "Wie wurden die Juden in Oesterreich militärpflichtig?" 60–61.
18. Kriegsarchiv, Hofkriegsarchiv, Wien [from herein KA HKR] 1785-16-887. Schmidl, *Jews in the Habsburg Armed Forces*, 100–102.
19. "... würden die Juden sich selbst über ihr Gesetz aber wegsetzen, so würde dadurch ein Euer Majestät Gesinnungen und Anordnungen grad entgegengesetztes Kennzeichen von dem Toleranzsystem sich veroffenbaren, dass derlei Juden eigentlich gar keine Religion haben." 8 April 1788, Hadik to the Chancellery, KA HKR 1788-47-326.
20. Joseph issued two very similar imperial resolutions at the end of April and on 20 June 1788, the latter as §52 of a draft of the new Galician *Judenpatent*. See Singer, "Zur Geschichte der Juden in Böhmen," 205–206 for the text.
21. Petition of the Galician deputies, H. Bernstein, Chaim Margoles, and Juda Lebel. Meyerhoffer, Vienna, 10 July 1788, KA, HKR 1788-47-563, Beilage.
22. "Ohne weitere Modalitäten soll der Jud als Mensch, als Mitbürger zu allem denjenigen verwendet werden, was jedem anderen obliegt, seine Religion wird dadurch nicht gekränkt, weil ihm freigelassen werden muß das zu essen, was er will und er zu nichts anderem am Sabbath verhalten werden muß, als was die Noth fordert und was auch der Krist am Sonntag zu thun schuldig ist." Singer, "Zur Geschichte der Juden in Böhmen": 239. Among

- other pieces of legislation incorporating the passage is the reply of the Hungarian *Statthaltereien* on 1 September 1788 to Hungarian Jewry's petition in *MZsSz XV* (1898): 91–92.
23. Schmidl, *Jews in the Habsburg Armed Forces*, 107–111.
 24. “*Siebertens* hätte der jüdische Konskriptionsstand wenn auch dessen zum Militär abgehende Individuen sich auf die vortrefflichste Art in Allerhöchsten Herrendiensten, und ihrer Konduite auszeichneten, so wenig Aussichten zu einem Avancement, als sie im Zivilstaate ...” Petition of Galician deputies, 10 July 1788, KA, HKR 1788-47-563, Beilage.
 25. Hadik to Chancellor, 8 April 1788, KA, HKR 1788-47-326.
 26. “Das Besorgniss, dass sie keine Beförderungsaussicht haben. Nachdem Euer Majestät den Juden, die Fähigkeit zu allen Aemtern, wie Kristen zu gelangen gnädigst ertheilen haben, so versteht sich von selbst, dass ihnen auch in dem Militarfach alle jene Behohnungen bevorstehen, auf welche das Verdienst anderer Glaubensgenossen Anspruch hat.” Kollowrat to Joseph, 18 August 1788, Magyar Országos Levéltár. A 39 Magyar Kancellária. Acta Generalia 14,918/1788. Apparently, Kollowrat was referring to Joseph's decision in June to permit Jews to serve as county doctors. See below.
 27. “The Toleration Patent,” in Macartney, *Habsburg and Hohenzollern Dynasties*, 157.
 28. *Vossische Zeitung* 13 June 1789 quoted in Ludwig Geiger, “Vor hundert Jahre,” *Zeitschrift für die Geschichte der Juden in Deutschland*, vol. 3 (1889): 187. It is not clear just how reliable this report may be. Erwin Schmidl found only one specific instance in the archives where a Jew had applied for a commission in 1789; however, he was turned down. Moyses Zier from Prague had served previously as an ensign in the East Indies. See Schmidl, *Jews in the Habsburg Armed Forces*, 114.
 29. The question posed was: are there means to render Jews more happy and useful in France? The chairman of the academy, Pierre Louis Roederer, specifically instructed the contestants to examine “what have been the effects of the recent laws in their favor by neighboring countries and what can one infer from them.” See Abraham Cahen, “L'émancipation des Juifs devant la société royale des sciences et des arts de Metz en 1787 et M. Roederer,” *Revue des études juives*, vol. 1 (1880): 99. The translation is from Frances Malino, “Attitudes toward Jewish Communal Autonomy in Prerevolutionary France,” in Frances Malino and Phyllis Cohen Albert, eds., *Essays in Modern Jewish History: A Tribute to Ben Halpern* (Madison, WI, 1982), 101.
 30. Zalkind Hourwitz, *Apologie des Juifs en réponse à la question: est-il des moyens de rendre les Juifs plus heureux et plus utiles en France?* (Paris, 1788), 36–39.
 31. He was undoubtedly referring to the letter of Trieste Jewry published in the Berlin Hebrew journal *ha-Measef*. Grégoire urged that Jews be dispersed among the various units so that “necessity, example and harmless ridicule” would have in time a corrosive effect on their prejudices. Abbé Grégoire devoted all of chapter 18 of his *Essai sur la régénération physique, morale et politique des Juifs* to this question.
 32. Letter of the Galician deputies, Hirsh Bernstein of Brody and Chaim Margolis of Lemberg/Lwów, to the Mantuan Jewish community, 17 June 1788, Central Archives for the History of the Jewish People (CAHJP), Jerusalem, microfilm HM 5193, JCA Filza 216, doc. 1. To my knowledge this is the only version of the Galician document that has been located, and was first referred to by Shlomo Simonsohn, *History of the Jews in the Duchy of Mantua* (Jerusalem, 1977), 475, n. 501. I wish to thank Lois Dubin for generously bringing this important reference to my attention. Presumably, the better known, published response of the Jews of Trieste was to a variant of this letter. A sympathetic Galician bureaucrat was to write a generation later, “Emigration, general fasts, repentance and deputations to Vienna were the immediate reactions.” See Michael Stöger, *Darstellung der gesetzlichen Verfassung der galizischen Judenschaft*, 2 vols. (Lemberg, Przemysl, Stanislawow, and Tarnow, 1833), vol. 2, 65.
 33. A. Wojtowski, *Die Politik der preussischen Regierung gegenüber den polnischen Juden*, 18, cited by F. Friedman, *Die galizischen Juden im Kampfe um ihre Gleichberechtigung (1848–*

- 1868) (Frankfurt am Main, 1929), 130, n. 2. In the Tarnopol and Rzeszów districts, only two recruits were found to fill the 100-man quota, and these were Jewish vagabonds from Poland. Majer Bałaban, *Dzieje Żydów w Galicyi i w Rzeczypospolitej krakowskiej, 1772–1868* (Lwów, 1916), 37. “In Bohemia one encounters several young men of well-to-do parents who have emigrated to various places,” wrote Saul Ascher. See his anonymous *Bemerkungen über die bürgerliche Verbesserung der Juden veranlasst bei der Frage: Soll der Jude Soldat werden?* (Frankfurt am Oder, 1788), 35, e. One such instance was described in the memoirs of the lapsed Frankist, Moses Porges (Leopold Porges von Portheim), who was smuggled out of Prague to Saxony in 1798, at the age of 17. “The general recruiting of 1798, when the young men were dragged out of bed in the middle of the night, was the cause of my going into hiding at friends (Salom. Brandeis); a few weeks later it was decided that in order to evade the danger I should emigrate to Germany.” C. Seligmann, “Eine Wallfahrt nach Offenbach: Zur Geschichte der Jakob Frankschen Bewegung,” *Frankfurter israelitisches Gemeindeblatt*, vol. 10 (1932), 121. (Note that despite Frankist enthusiasm for things military, the Porges family did not react differently from other Jews.) In his memoirs, Ascher Lehmann (b. 1769) also wrote a vivid description of conscription in Prague. See Monika Richarz, ed., *Jewish Life in Germany* (Bloomington, IN, 1991), 57.
34. [Ascher], *Bemerkungen über die bürgerliche Verbesserung der Juden*, 35, note e.
 35. The Brody incident was described in (Carl Feyerabend), *Cosmopolitische Wanderungen durch Preussen, ... Gallizien und Schlesien in den Jahren 1795 bis 1798* (Germanian [Danzig], 1803), vol. IV/2, 55. The passage is quoted in full by Wolfgang Häusler, *Das galizische Judentum in der Habsburgermonarchie im Lichte der zeitgenössischen Publizistik und Reiseliteratur von 1772–1848* (Munich, 1979), 64–65 and referred to by Stanisław Schnür-Peplowski, *Cudzoziemcy w Galicyi, 1787* (Kraków, 1898), 112 and A.Y. Brawer, *Galicia and its Jews* (Hebrew) (Jerusalem, 1956), 183–184.
 36. *Schreiben eines Rabbi aus Gradiska zur Entscheidung, dass die jüdische Religion dem Kriegsdienste nicht im mindesten widerspreche. Aus dem Hebräischen treu übersezt...* (Vienna, 1788), 6–7, 17.
 37. Letter of the Galician deputies to the Mantuan Jewish community, 17 June 1788, CAHJP, HM 5193, JCA Filza 216, doc. 1.
 38. The most important statements of *maskilim* in favor of military conscription include the letter of an anonymous *maskil* to Galician Jewry in *ha-Measef*, vol. 5 (1787/1788), 331–334; the letter of the “rabbi” of the Trieste community, 30 June 1788 (signed actually by the lay leaders Moshe Levi, Abraham b. Yosef Morpurgo, and Elia b. Moshe Luzzatto in the name of the rabbi) in *Ha-Maeseff*, vol. 4 (1787/1788), 386–388 (the date, which is missing, is from a copy of the letter in the Mantuan Jewish community archives); the pamphlet of the “rabbi of Gradiska” (almost certainly Eliah Morpurgo), signed 14 July 1788, *Schreiben eines Rabbi aus Gradiska*; a letter of Morpurgo’s in an entirely different vein written on 3 September 1788 in Y.Ch. Jare, “Letter to my People from Elia Morpurgo” (Hebrew) *Ha-‘Olam*, vol. 1 (1907), 37–38; [Lazarus Bendavid], *Beweiss, dass heutzutage in den k.k. Staaten die Juden zu Kriegsdiensten ebensowohl verpflichtet sind als die Christen* ([Frankfurt am Oder], 1788), which appends the letter of Trieste in German translation; and the petition to Leopold II of the Prague *maskilim*, Raphael Joel Basch, Moses Fischer, Joachim Lucka Lederer, and Samuel Levi (Gerson Wolf in *Ben Chananja*, vol. 5 [1861], 62 adds Baruch Jeitteles), dated 26 November 1790 in Singer, “Zur Geschichte der Juden in Böhmen,” 219 ff.
 39. Abraham Trebitsch, *Qorot ha-‘Itim* (A Chronicle of the Times) (Brünn, 1801), paragraph 59.
 40. Jare, “Letter to my People from Elia Morpurgo.”
 41. Jare, “Letter to my People from Elia Morpurgo”; [Saul Ascher], *Bemerkungen über die bürgerliche Verbesserung der Juden*; N.M. Gelber, “Mendel Lefin-Satanower and his Proposals to Improve the Jews of Poland at the Great Sejm” (in Hebrew), in *Abraham Weiss Jubilee Volume* (New York, 1964), 287, article 3.

42. "... den Unterschied, den die Gesetzgebung bisher zwischen christlichen und jüdischen Untertanen beobachtet hat, aufzugeben und den in Galizien wohnenden Juden all Begünstigungen und Rechte zu gewähren, deren sich unsere übrigen Untertanen zu erfreuen haben. In allgemeinen also soll die galizische Judenschaft von nun an in Rechten sowohl als Pflichten vollkommen wie andere Untertanen angesehen." Preamble of the Galician Judenpatent, 7 May 1789. For active and passive franchise in local communal affairs, see §16; for volunteers to combat units §49. Josef Karniel, "Das Toleranzpatent Kaiser Josephs II. für die Juden Galiziens und Lodomeriens," *Tel Aviver Jahrbuch für deutsche Geschichte*, vol. 11 (1982): 75, 78, 87.
43. There were several petitions, all dating from the same month. The most detailed was submitted by Samuel Landau, Marcus Karpeles, and Seligmann Kalmus on 21 May 1790; Singer, "Zur Geschichte der Juden in Böhmen," 215–216.
44. See the 2 June and 26 November 1790 petitions in *ibid.*, 217–218, 229–232.
45. The debate in France began in August 1789 and continued until April 1790. Eliahu Tscherikower, *Yehudim be-Itot Mahapekha* (Tel Aviv, 1957), 78–85, 91–97 and Arthur Hertzberg, *The French Enlightenment and the Jews* (New York, 1968), 344–348. Conservatives and *maskilim* clashed also in the Batavian Republic in 1796 over communal autonomy and emancipation. See Herbert Bloom, "Felix Libertate and the Emancipation of Dutch Jewry," in *Essays on Jewish Life and Thought, Presented in Honor of Salo Wittmayer Baron* (New York, 1959); Menachem Eljakim Bolle, *De opheffing van de autonomie der kehilloth (joodse gemeenten) in Nederland, 1796* (Amsterdam, 1960), and S.E. Bloemgarten, "De Amsterdamse Joden gedurende de eerste jaren van de Bataafse Republiek (1795–98)," *Studia Rosenthaliana*, vol. 1 (1967): 49–60.
46. Franz Josef Jekel, *Pohlens Staatsveraenderungen und letzte Verfassung*, 3 vols. (Wien, 1803), vol. 2, 58; *Der Jude*, vol. 1 (1832): 208 and the petition of Viennese Jewry, 31 December 1821 in Sigmund Husserl, *Gründungsgeschichte des Stadt-Tempels der israel. Kultusgemeinde Wien* (Vienna-Leipzig, 1906), 51. For a more extended discussion of these figures, see my Ph.D. dissertation "Roots of the Schism in Hungarian Jewry: Cultural and Social Change from the Reign of Joseph II until the Eve of the 1848 Revolution" (Hebrew), (Hebrew University, 1985), 105–108.
47. Michael Stanislawski, *Tsar Nicholas I and the Jews: The Transformation of Jewish Society in Russia, 1825–1855* (Philadelphia, 1983), 13–34.
48. Marc Sapperstein, "War and Patriotism in Sermons to Central European Jews: 1756–1815," *LBIYB*, vol. 38 (1993): 3–14.
49. For the so-called *Systemalpatent* for Bohemian Jewry, see Simon Adler, "Das Judenpatent von 1797," *JGGJČ*, vol. 5 (1933): 199–229. For a comparison with the 1789 Galician *Judenpatent*, see Singer, "Zur Geschichte der Juden in Bohmen": 273–277.
50. I. Reich, "Rosenthal Eliah," *Beth-El* (Pest, 1867), vol. 2, pt. 1, 87.