

Regarding the nature of diasporic communities, Stuart Hall in his *Cultural Identity and Diaspora* (1990) arrives at another important conclusion, namely that although most narratives circulating within diasporic communities suggest a pure identity pegged onto a single origin (*Sepharad*, the Holy Land etc.), actual diasporic communities are not hallmarked by purity but by ‘hybridity’ (ibid.: 235). This means that the maintained boundaries are rather permeable, creating new complex, multi-layered, syncretic, creole societies. These communities, thus, are by far not as homogeneous and ‘pure’ as the popular narratives might at first suggest. In fact, by having a closer look at popular narratives, its authorship, as well as the historical circumstances, the hybrid character of these communities in question comes into focus. The foundational myth of the Sephardic community of Vienna serves as a good example in order to highlight the identity establishing dynamics within diasporic societies that have been outlined so far.

6. Baron Diego d’Aguilar – A Legendary Figure between Myth and Reality

The legend of Baron Diego d’Aguilar or Diego de Aguilar (c. 1699–1759)—also known by his Jewish name Moses Lopes Pereira or Mosche Lopez Pereyra—perfectly illustrates the consolidation of historical facts and fiction which usually occurs in a foundational myth. Although there is hardly any doubt that a man by the name of Diego d’Aguilar truly lived in Vienna during the first half of the eighteenth century and that this man even bore the aristocratic title of a Baron (*Freiherr*), many of his biographical data apparently underwent some significant changes that finally transformed him into the rather mysterious and heroic figure that the historic Sephardic community of Vienna claimed as its founder.

There are at least ten popular versions of the legend of Diego d’Aguilar (Studemund-Halévy, Collin 2013). Perhaps the most famous one was published in a brochure (*Festschrift*) by Adolf von Zemlinsky (1845–1900) and Michael Papo (1843–1918) in 1888, commemorating the 150th anniversary of the Sephardic community of Vienna, officially known as *Türkisch-israelitische Gemeinde zu Wien* in German. It is a bilingual edition which was written in both German (printed in a black-letter typeface) and Judeo-Spanish (printed mainly in Rashi script). Both covers of the chronicle mention Adolf von Zemlinsky as the community’s *Sekretär* (*sekretariyo*), while Michael Papo is mentioned as *Functionär* (*funsyonariyo*) of the Turkish-Israelite community of Vienna. Furthermore, Adolf von Zemlinsky is mentioned as the author of the chronicle (*‘Verfasst von Adolf v. Zemlinsky [...]’*,

'Kompuesta en Alemano por Adolfo de Semlinski H[ashem] Y[ishmoro]'), while Michael Papo only seemed to have translated Zemlinsky's text from German into Judeo-Spanish (*'Ueversetzt ins Jüdisch-spanische von Michael Papo [...]'*, *'Traslada por Michael Menachem Papo H[ashem] Y[ishmoro]'*; see Appendix, Figure 3 and 4). The two versions differ from each other in style and length as well as in some other details, as will be shown shortly, which is the reason why Papo's text should be considered as a very loose translation, or even as an independent text (Studemund-Halévy 2009). Nevertheless, the plots of both versions in the pamphlet closely resemble each other. It was published under the title *Istorya de la komunidad israelit espanyola en Vyena. Del tyempo de su fundasyon asta oy segun datos istorikos*²⁰ in *Djudezmo* and *Geschichte der türkisch-israelitischen Gemeinde zu Wien. Von ihrer Geschichte bis heute nach historischen Daten* in German and is to be considered the first official chronicle of the Sephardic community of Vienna, or at least the earliest still preserved. Although both authors profess to have used historical sources ('historische Daten', 'datos istorikos'; see Appendix, Figure 3 and 4) for their work, neither Alexander von Zemlinsky nor Michael Papo mention their sources or informants. The legend portrayed in their chronicle goes as follows:

It is the year 1725 and Diego d'Aguilar is an inquisitor in Madrid. One day he sentences a young lady to death for being a clandestine Judaiser. Shortly before the defendant is supposed to be burned at the stake, an older woman seeks to receive an audience with the inquisitor. The woman, whose name is Sarah, declares that she is the mother of the young convicted girl and that she has come to beseech the inquisitor to stop the prosecution against the young lady. When the inquisitor is not willing to give in to her demands, the old lady finally reveals to him that she herself is in fact the mother of both the young girl and the inquisitor. At first the inquisitor does not believe her but when the old woman calls him by his original given name 'Moshe', all of a sudden he realises that she is telling nothing but the truth. Thus, he recalls that he was actually born as a Jew but separated from his family at a very young age. Having come to his senses, he immediately rushes off in order to save his sister from death but when he returns he has to inform his mother that only a few hours ago her daughter, his sister, has already died in agony under torture. Both are devastated. As a direct consequence of the event, d'Aguilar decides to flee Spain together with his mother. Before leaving, d'Aguilar remembers that he still possesses a present from the Austrian Empress Maria Theresa (1717–1780) who found

²⁰ איסטורייא די לה קומונידאד ישראלית איפאניוולה אין ביינה. דיל טיימפו די סו פונדאסיין אסטא 20
אויי סיגון דאטוס איסטוריקוס, see Appendix, Figure 4.

accommodation in his palace while visiting Spain together with her father Charles VI (1685–1740) several years ago. Summarily, d'Aguilar and his mother decide to seek refuge in Vienna; however, according to the German version of the legend his mother Sarah dies during the journey, never reaching the Austrian capital. On reaching his destination d'Aguilar goes to see Maria Theresa, begging her to let him and several other refugees from Spain stay in her realm. Of course the Empress immediately recalls their former Spanish host, and kindly invites him to stay as her guest in Vienna. Gladly accepting her offer, d'Aguilar becomes an influential court Jew and the leaseholder of the imperial tobacco monopoly. Using his great influence at the court, Baron d'Aguilar becomes a patron of the Jews in Vienna as well as of those in the entire Austro-Hungarian Empire. For example in lieu of a synagogue, he offers a room in his own house to the first Sephardic immigrants from the Ottoman Empire in Vienna in order to provide a place of worship for them. Furthermore, he donates two sets of *rimonim* רמוןים, that is, torah crowns, with an engraving of his name to the Sephardic congregations of Vienna and Temeswar (Timișoara in modern Romania), the latter also being blessed by his patronage. One day, when d'Aguilar learns about a secret plan that all Jews shall be expelled from the Austrian territories, he and one of his friends seek to confound this scheme by sending a letter to the Sultan in Istanbul. Promptly the Sultan sends back a letter personally addressed to Maria Theresa in which he tries to convince the Empress to renounce her plans of expelling the Jews from her realms. Concerning this affair, Zemlinsky's original version and Papo's alleged translation differ from each other. While in the German version Maria Theresa gladly accedes to the Sultan's petition, refraining from her plans to expel the Jews from Austria, the Judeo-Spanish text renders a rather more unkind picture of the Empress. Although in the Djudezmo version Maria Theresa also ultimately decides to spare the Jews, d'Aguilar decides to flee Vienna because he suspects that the anti-Jewish Empress knows about his eager intervention. In the German version, however, other reasons are said to have led to the hero's prompt departure, namely that the Spanish Inquisition has finally gained knowledge of d'Aguilar's residency in Austria and, moreover, of his return to Judaism, wherefore his immediate extradition is demanded in order to put him on trial for apostasy. Be that as it may, in both versions it is pointed out that d'Aguilar essentially leaves without a trace. According to Zemlinsky and Papo, nobody knows for sure about his final destination; some say he might have gone to Amsterdam, while others believe he may have found refuge in Bucharest (the latter is only mentioned in the German version). In remembrance of and in reverence for his generosity and advocacy the Sephardim of Vienna and Temeswar consider him the

founder of their communities, wherefore every *rosh hashana* ראש השנה (the Jewish New Year) a *kaddish* קדיש (mourner's prayer) is prayed in his remembrance (Papo and Zemlinsky 1888: 2-6; see also Kaul 1989: 58-59 and Studemund-Halévy and Collin 2013: 287-294).

It is interesting to note here that Diego d'Aguilar's legend consists of two slightly different endings in German and Judeo-Spanish. However, this official version of the legend is most obviously based on an earlier source, namely a two-part article (*Geschichte Diego de Aguilar's*) by Ludwig August Frankl (1810–1894) (1856a; 1856b) which was published in the *Allgemeine Zeitung des Judenthums* (see also Studemund-Halévy and Collin 2013: 242, 248-262). At the beginning of his article, Frankl informs his readership that he himself learned about the legend from Hakham Ruben Barukh (d. 1875), the venerable leader of the Sephardic community of Vienna at that time (Kohlbauer-Fritz 2010: 152). About thirty years later, in 1886, Aaron ben Shem Tov Semo, the son of Shem Tov Semo (1810–1881) who was one of Vienna's most famous publishers and editors of Judeo-Spanish newspapers, published his own version of d'Aguilar's legend which, according to its author, is based on an earlier Hebrew version.²¹ However, he does not mention an exact source and it remains open to question whether a Hebrew original of d'Aguilar's legend has ever really existed (Studemund-Halévy 2010b). In 1888 Adolf von Zemlinsky (Shem Tov Semo's son-in-law) and Michael Papo's version was finally published in the above mentioned bilingual edition in which d'Aguilar is explicitly mentioned as the founder of the Sephardic community of Vienna:

Wollen wir mündlichen Traditionen Glauben schenken, so würden sich gar mancherlei Bindemittel finden, worunter namentlich eine traditionelle Fabel über das Entstehen dieser Gemeinde spricht, welche wir hier in Kürze wiederzugeben uns verpflichtet halten, da eben die Hauptperson dieser Fabel identisch ist mit der des Gründers unserer Gemeinde (Papo, Zemlinsky 1888: 2).

Here we see that the authors initially declare that their version of Diego d'Aguilar's legend is actually based on a popular fable. In so doing, they seem to admit that their account might not resemble the true historical facts, which does not seem to disqualify the legend from being adopted as the official story of the foundation of the Sephardic community of Vienna.

²¹ The legend was published in the magazine *Luzero de la Pasiensia* in Severin (Romania) under the title *El establecimiento de la onorada Comuna Spagnola en Viena, trezladada del ebraico conteniendo la beografia del Baron Diaga [sic] de Aguilar*. Interestingly, it was not printed in Rashi but is in Latin script (Studemund-Halévy and Collin 2013: 244, 263-278).

Even at this early stage we see that Ludwig August Frankl, the author of the first known printed version, was not quite sure about the veracity of the story, even though his informant was none other than the rabbi of the Sephardic community of Vienna:

Es ist offenbar, daß uns hier Dichtung und Wahrheit innig ineinanderver-schlungen entgegentreten, daß aber selbst der Dichtung wirkliche Thatsachen, nur poetisch ausgeschmückt, zu Grunde liegen mögen (Frankl 1856b: 658).

Indeed, the legend of Diego d'Aguilar should not be taken as merely the invention of its authors or their informants; actually it is based on several historical facts. However, while Zemlinsky and Papo did not make any attempt to prove its historical authenticity, Frankl, on the other hand, provided a range of historical data that draw a more authentic picture of d'Aguilar's life. For example, Frankl found out that d'Aguilar's decision to leave Vienna was based on economical rather than other considerations because his contract for holding the Austrian tobacco monopoly ended in 1748. By then, his business had already been greatly weakened by foreign ambassadors who had repeatedly tried to bypass his monopoly (Frankl 1856b: 659). Zemlinsky's and Papo's assumptions that d'Aguilar withdrew from Vienna because he was afraid of Maria Theresa's vengeance (in the Judeo-Spanish version) or because the Spanish government had ordered his extradition in order to hand him over to the inquisition (in the German version) seem to be no more than fictional literary elements. Particularly, the fact that the authors offer two slightly different endings gives evidence that they treated the source material at their disposal rather creatively in order to serve different aims and maybe also a different readership. Obviously the authors were eager to let Maria Theresa appear in a much more humane and neutral light in the German version (Kaul 1989: 59), not least because this version would address a much larger readership, including non-Jewish Austrian officials. These officials eventually could have interpreted the Judeo-Spanish accounts of affairs as a *lèse-majesté* since the reputation of already defunct rulers of the House of Habsburg was protected by a law in the Austrian Imperial penal code (cf. *Strafgesetz* of 1852: § 64; Czech 2010: 62, 69).

When it comes to d'Aguilar's mysterious flight, Frankl already ascertained that Diego d'Aguilar had not merely disappeared as the legend suggests but, in fact, he left Vienna in order to return to his house in London which also indicates that d'Aguilar must have lived in England before he settled down in Vienna (ibid.). Even Ruben Barukh, the rabbi from whom Frankl had learned about the story in the first place, mentioned that

d'Aguilar had reached Vienna via England (Frankl 1856a: 632) and not directly from Spain Papo²² and Zemlinsky's version suggests.

Frankl's original assumption that d'Aguilar had gone to England after having left Vienna was ultimately confirmed by a letter from his friend Josef von Wertheimer (1800–1887), an Austrian Jewish philanthropist, whom Frankl had asked to investigate the traces d'Aguilar must have left in London. In his letter von Wertheimer quotes a short extract from a book about the biography of d'Aguilar's son, Ephraim Lópes Pereira d'Aguilar (1739–1802), also including some information about his father:

Baron Diego de Aguilar war in Lissabon geboren, das er ungefähr 1722 seiner Religion wegen verließ. Er kam nach England und ging im Jahre 1736 nach Wien, wo er Pächter des Tabakmonopols wurde. Er war ein Liebling der Kaiserin Maria Theresia. Im Jahre 1756 kehrte er nach England zurück mit seiner Familie, die aus zwölf Kindern, Söhnen und Töchtern, bestand. Er starb im Jahre 1759 unermeßlich reich (Frankl 1856b: 661).

In another letter that Ludwig August Frankl received from his friend, Josef von Wertheimer almost revokes the information that he had communicated before by stating:

Es existiert kein Abkömmling von Baron Diego de Aguilar. Seine Grab-schrift ist verlöscht, und es würde nicht unerhebliche Kosten verursachen, sie zu entziffern. Andere Nachforschungen waren vergeblich (ibid.).

It is entirely conceivable that this was a letter previously written by von Wertheimer which was delayed and arrived after the first. At any rate, Frankl does not further clarify this contradiction. However, it is an interesting fact that Diego d'Aguilar obviously was not of Spanish but rather of Portuguese origin.

While Frankl cannot provide any solid evidence of d'Aguilar's death in London, a genealogical record, today preserved in the library of the Society of Genealogists in London, actually proves that the 'Bemaventurado [blessed] MOSEH LOPES PEREIRA BARON DE AGUILAR [...] S.A.G.D.E.G.' was interred on the burial ground of the Spanish and Portuguese Jews (Row 17. No. 41) in Mile End which is located in the Borough of Tower Hamlets in London's East End.²³ Furthermore, a pedigree of the

22 Only in the Papo's version is it mentioned in passing that d'Aguilar and his mother left for Vienna on a ship departing for England (*Inglityera*) (Studemund-Halévy and Collin 2013: 290-291).

23 Genealogical Record in: Colyer-Fergusson Collection, archived in the Society of Genealogists Library, London, UK; see Appendix, Figure 1.

d'Aguilar family in the same record gives evidence that 'Moses Lopes Pereira Baron Diego de Aguilar came to London from Vienna' in the year 1756. It also informs us that his last will dates 5 August 1759, that he was born in 1700 and that he finally passed away in the month of August in 1759 and was laid to rest on 17 Av 5519 (10 August 1759) at Mile End.²⁴ Moreover, the above mentioned initials 'S.A.G.D.E.G.' on his tomb give evidence of his Portuguese origin, since this is an acronym written on many grave stones of Portuguese Jews, standing for *Sua Alma Goza da Eterna Gloria* ('his/her soul attains eternal glory') (Arbell 2001: 304). At this point it is also worth mentioning that the authors of Diego d'Aguilar's legendary account also misrepresent the facts about the fate of his parents. While the legend recounts that d'Aguilar arrived in Vienna without his family, Felicitas Heimann-Jelinek (1991: 28) informs us that both his mother (Sarah Peryrea) and his father²⁵ (Abraham Lopez di Pereyra) were buried in Vienna at the Jewish cemetery in Roßau (Seegasse), together with two of his children and his brother in law.²⁶

Putting all the evidence together, Ludwig August Frankl was right in assuming that Diego d'Aguilar did not just mysteriously disappear after having left Vienna but, in fact, moved back to London where he had come from before settling down in Vienna. Through Josef von Wertheimer's letter and the genealogical data from London we also learn that d'Aguilar's roots did not lie in Spain, as the legendary accounts suggest, but in Portugal. Owing to his committed investigations, Frankl could even provide more evidence, proving d'Aguilar's Portuguese provenance. By consulting the K. and K. Ministry of Internal Affairs, as well as several other archives in Vienna, Frankl (1856b: 657) not only found out that d'Aguilar was entrusted with the creation of the tobacco monopoly by the order of Emperor Charles VI in 1725 (thus, not by Maria Theresa) but that d'Aguilar's father had been a successful businessman who was responsible for the establishment of the tobacco trade business in Portugal. The precise motive for Diego d'Aguilar's departure from Portugal and his immigration to England remains unclear. The fact that he already bore a Portuguese title of nobility when leaving Lisbon and that he was conferred with the title of Baron (*Don*

24 Genealogical Record in: Colyer-Fergusson Collection in the Society of Genealogists Library, London, UK; see Appendix, Figure 2.

25 The death of d'Aguilar's father—who allegedly died in Spain—is only mentioned in Michael Papo's version of the legend but not in Adolf von Zemlinsky's which, once again, indicates that Papo's Judeo-Spanish version is not a word-by-word translation of Zemlinsky.

26 See also Wachstein (1917: 216-217, 278-280, 311-317); Studemund-Halévy (2010c).

Diego Freiherr von Aguilar) in Vienna on March 26, 1726, is historically confirmed. A draft of his patent of nobility is still preserved in the Austrian State Archives (*Österreichisches Staatsarchiv*) (Milchram 2010: 80-81). However, this also means that when d'Aguilar was awarded his barony in Vienna Maria Theresa was only eight years old, which makes a previous encounter in Portugal (or Spain as the legend suggests) not impossible but very much unlikely.

At the end of his article Frankl mentions a number of testimonies by rabbis who were contemporaries of Diego d'Aguilar. Salomon Salem (1717–1781), the chief rabbi of the Portuguese-Jewish congregation of Amsterdam, for example, described Diego d'Aguilar as a crown of Jewry (*Krone des Judenthums*) for having an open house for every foreign rabbi visiting Vienna. Moses ben Saul Katzenellenbogen (1670–1733/43), who was also among those received by d'Aguilar, describes his generous host as *ger* גֵּר, thus, as a convert or proselyte of Jewish origin who was only able to converse in Spanish or Dutch—which suggests another (Dutch) connection.²⁷ Furthermore, Katzenellenbogen informs us that d'Aguilar did not exclusively favour Sephardic Jews but also Ashkenazi Jews in need of support.²⁸ All these benevolent characteristics (see also Kaul 1989: 49-57) seem to have nurtured the legendary accounts of Diego d'Aguilar, ultimately, turning him into a heroic figure.

7. A Legendary Hero of a Historical Legend

A remarkable fact about the legend of Diego d'Aguilar is that quite a few alterations have been made to his biography although, as Michael Studemund-Halévy emphatically outlines, many facts about his life (for example his Portuguese origin; London as his final destination) were already known in the nineteenth century ('die Fakten [waren] auch im 19. Jahrhundert bekannt'; Studemund-Halévy 2010b). Herein lies the paradox: although Ludwig August Frankl's version obviously seems to have influenced most other subsequent accounts about Diego d'Aguilar, the efforts made by Frankl in order to draw a more realistic picture of the legendary figure were widely ignored in Zemlinsky and Papo's famous version. Thus, it is impressive that a story comprising so many unhistorical details could gain such an

²⁷ According to Heimann-Jelinek (1991: 27), Diego d'Aguilar did not arrive in Vienna via London but Amsterdam.

²⁸ 'Diego de Aguilar [machte] keinen Unterschied, ob die spanischer, deutscher oder polnischer Abkunft waren; sie fanden bei ihm eine gleich gute Aufnahme' (Frankl 1856b: 660; see also Studemund-Halévy 2010a).