



INTERNATIONAL CENTER FOR
UNIVERSITY TEACHING OF JEWISH CIVILIZATION
under the auspices of the President of Israel

**Jewish Emancipation as a Theme in University
Teaching of Contemporary Jewish Civilization**

For internal use
Not for publication

Jerusalem, 1987

Support for the Continuing Workshops has been given by the Joint Program for Jewish Education (State of Israel Ministry of Education and Culture - the Jewish Agency for Israel - World Zionist Organization) and the Memorial Foundation for Jewish Culture.

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Jewish Emancipation in the Context of the Modern State and Society

Judit Liwerant

Emancipation, the theoretical and practical struggle for the political and civil equality of the Jews within the framework of the states and societies in which they lived, plays a central role in the definition of Jewish modernity. It is, however, given different shades of meaning, reflecting a variety of approaches. In some of these, emancipation is regarded as permanent and irreversible, marking the beginning of the modern era and constituting its very essence. In others, the phenomenon is reexamined and reevaluated in terms of parallel and consequent developments which also define modernity, such as assimilation, antisemitism, the Holocaust, and Zionism.¹

In defining emancipation as a process of theoretical and practical struggles leading to legal, political and

social changes, we are referring to a phenomenon which pervaded different levels of reality - both ideological and socio-political. This is evident in the variety of suggestions to be found in works of research concerning the 'point of change' from the unemancipated to the emancipated status of the Jews. Thus, if the change in the attitude of European societies towards the Jews is considered to be the result of new trends of political and social thought, the roots of the change in the status of Jews can be traced to the seventeenth century.² If regarded in the more limited sense of legal and institutional changes, the beginning of emancipation can be dated at the end of the eighteenth century - 1780, 1781, 1789 in various countries.³

Clearly one is dealing with a process that took place within broad parameters and at diverse levels. Moreover, since emancipation implied a redefinition of the relations between the Jews and the environing societies and states, it must be regarded as an integral part of the overall development of those states; it was as much a historic necessity for the modern state as it was for the Jews.⁴

The elimination of the corporate differences which characterised the medieval world was a necessary step in the centralisation of political power and the emergence of the

sovereign state. It has also been pointed out that Jewish emancipation was part of the more general process of emancipation of the bourgeoisie. Furthermore, the suggestion that the beginning of the social movement for the acceptance of Jews as citizens in European countries may be traced to the appearance of Dohm's book Über die Bürgerliche Verbesserung der Juden in 1781, is justified not because it marked the transition from theological to political and humanistic arguments, but because the author was able to link his advocacy of the acceptance of the Jews to imminent changes in society in general.⁵ According to this view Jewish emancipation in Europe was 'inevitable', once an industrial and bourgeois society with a uniform legal status replaced the hierarchical feudal society of the Middle Ages.⁶ In fact, the legal and social tensions associated with Jewish emancipation, the fight for political and legal equality in the state, and the desire to be a participant in a common society, should be viewed in the light of the complex general relations between state and society.⁷

An analysis of the process of emancipation in different geopolitical and national circumstances reveals several phases of progress and stagnation, achievement and failure, which correspond to phases in the political and social development of the gentile environment. These are reflected

in the advance of egalitarian ideology and its interaction with legal and institutional changes. Simon Dubnow divided emancipation into three periods: 1) the first emancipation, from the French Revolution to the Congress of Vienna (1815); 2) the reaction which followed; and 3) the second emancipation, beginning in 1848.⁸ Jacob Katz has similarly suggested an initial period from 1781 to 1815, which includes the beginning of the struggle for emancipation and the first major achievements in its attainment; an intermediate period from 1815 to 1830, characterised by stagnation and regression; and a final stage which confirmed the achievement of civil and political equality.⁹ Another approach has divided Jewish emancipation into two main phases, a liberal period from 1780 to 1815, and a reactionary period from 1840 to 1870, both of which correspond to contemporaneous social and political changes.¹⁰

The specific characteristics and unique nature of Jewish emancipation must be recognised. However, from the disciplinary perspective of political science, one may suggest an examination of emancipation in the light of the general theoretical and practical struggles related to the emergence and development of modern society and the modern state.¹¹ Continuous tension existed between 'rational law'

and 'national spirit', between market requirements and cultural values, between the Enlightenment concept of natural law and romantic historicism. It was mainly between these poles that political theory and practice fluctuated during the period that commenced with the great revolutions of the eighteenth century and continued till 1848 - the period in which Jewish emancipation began to develop. They certainly had complex, erratic effects on the opening and closing of options for the Jews and Judaism.

The theory of the modern state, from Locke¹² and Hobbes to Rousseau and Kant, and from the physiocrats to Ricardo and Smith, was based on the natural rights of man. These, which can be known by reason and are therefore true, emerged as the new principle governing the institutions of society and the state. Both society and law came to be founded on pure 'reason' 'emancipated' from faith and traditional religious culture, rather than on power.¹³ Freedom became a supreme value,¹⁴ and civil society was conceived as a sphere in which free social relations of production and market prevailed,¹⁵ rather than the relations of social domination which had existed in the ancien regime. Political society was the legal institutionalisation of these free social relations, and within this framework there was no longer any room for corporate differences.

Society and state were affirmed as true realities, products of reason and of rational enlightenment. Rationality, secularism, equality, legality, liberalism, and democracy were considered the essence of modernity. In terms of jusnaturalism and of political economy, the market society of the liberal state was the embodiment of the Enlightenment idea.

Romantic historicism, however, attacked the abstract and non-historical rationalism upon which the Enlightenment was founded.¹⁶ It argued that the internal contradictions of the Enlightenment had frustrated its objectives and led to its failure in the post-revolutionary period. The Enlightenment reduced human beings and historic societies to an abstract concept, ignoring the subjectivity, diversity and historicity of individuals and nations, and branding feelings and interests as no more than prejudices. According to the romantic historicists, the traditional culture of peoples was the result of communal entities rather than of isolated individuals.

Thus, an 'organic' romantic concept opposed the 'rational abstract' concept of the Enlightenment. Revolutionaries had treated society as a machine whose parts could be replaced; they discarded old institutions and

proclaimed that the individual was above the state and nation.¹⁷ New criticism was levelled at the Enlightenment concept of modernity since it jettisoned the cultural tradition of the past which had produced the 'spirit' and 'ethos' of the people or its 'nationality'.¹⁸

Romantic historicism or the counter-Enlightenment model consisted of several theoretical approaches and national variations, including those of Burke, Fichte, Savigny, Mueller, Bonald, de Maistre and Herder.¹⁹ It is, however, beyond the scope of this paper to examine the differences between all these approaches. The principles of rational enlightenment were rejected in different ways - conservative or liberal, reactionary or revolutionary - according to the theoretical perspective in which they were viewed. The common denominator of all romantic historicism was the idea that the state was founded on a 'concrete' historically evolved national culture. At the most reactionary extreme, one finds claims such as those of Joseph de Maistre²⁰ who thought that irrationality was the source of the stable social order, and who advocated the unlimited power of an unquestionable authority - the Church. According to de Maistre the nation needed moral and cultural cohesion, and the continuity of society required as much 'unity and moral unanimity' as possible.²¹ Herder, in contrast, assumed that

different cultures could and should flourish peacefully side by side. Nevertheless, as Isaiah Berlin has pointed out, the seeds of nationalism already existed in Herder's attacks on cosmopolitanism and empty universalism.²² These seeds were to grow among his more aggressive followers in the nineteenth and twentieth centuries.

The process of Jewish emancipation took place within the context of this ideological struggle which encouraged contradictory expectations and options.²³ Once the Jews gained emancipated status, they rapidly achieved prominent positions in various realms of society: culture, journalism, science, economy, politics. Their swift transition from the ghetto to emancipated status in the surrounding society was characterised by creativity and effervescence. From the Enlightenment perspective, emancipation provided them with great possibilities as individuals while simultaneously placing limits on their collective identity. In turn, the reaction of romantic historicism to emancipation made Jews painfully aware of the fragility of their position. Thus, Jewish modernity had to cope with the problem of maintaining a distinct Jewish identity within the framework of equality, as well as with the historicist exclusivism of much of modern nationalism.

The rationalist and secular concept of the state, whose ideological pillars were the Enlightenment, legality and democracy, promoted and defended Jewish emancipation. But we must keep in mind that from the beginning the secular state was a radical concept which, in defending the religion of reason, led to the denial of all institutionalized religions, including Judaism. Rationalism's influence on the evolution of Jews and Judaism was hardly unequivocal. On the one hand, its criticism of Christianity removed the justification of discrimination against the Jews on the grounds of Christian doctrine; on the other hand, it provided new weapons for the opponents of Jews by casting aspersions on their own religious heritage.

On a more general level, the state governed by natural-rational law conceived of the sum total of individual citizens as a homogeneous whole, and viewed itself as the sole frame of reference. The questioning of all group identity or solidarity appeared at the very beginning of the French revolutionary process. "Aux juifs comme nation nous ne donnons rien, aux juifs comme individus nous donnons tout."²⁴ French thinkers and legislators held that the more uniform the citizenry, the more advantageous this would be for the State.²⁵ Their grant of legal and political equality to the Jews was associated with expectations of a

weakening of Judaism and the transformation of the Jewish people into individual citizens.

The social aspect of emancipation was influenced by the expected dissolution of group bonds. In this regard, some have drawn a distinction between legal and 'real' freedom. In fact, these two dimensions reflect a central feature in the process of modernisation that we have been analysing, namely, the separation between state and society, between the public and private spheres. The legal sphere must be viewed in terms of the place and role of law as part of such a reality. It is precisely because substance and form are constitutive of reality - an Enlightenment concept which, for the sake of unity and identity, based society on the legal state - that the dilemma faced by Jews during the emancipation process was so complex.

Judaism was defined as belonging to the private realm of 'unequal heterogeneity'. This has historically been the sphere in which the existence of one homogenizing principle, be it religious (Christianity) or national identity, prevailed. Therefore, expectations of complete national assimilation became the counterpart of Jewish equality. Herein lies, as Salo Baron has pointed out, the essential and meaningful connection between the democratic state and

modern nationalism; the latter was helping to level all corporate differences and establish the new unitarian society on the debris of the old 'estates'.²⁶ At the same time, it should be remembered that, paradoxically, the political events resulting from the French Revolution gave a strong impetus to modern nationalism.

As stated earlier, modern nationalism was associated with the principle of exclusion. The national ethos of the state understood national identity to be based on the exclusion of foreigners or aliens. As German nationalism developed, it alternated between devotion to the Christian faith and total nationalism, and it reconsidered the emancipation status of the Jews.²⁷ The alienness of the Jews was an essential argument in the anti-Jewish polemic. Moreover, romanticism which sought the roots of the Volksgeist in history, legend and myths, and the unique and particular in all social phenomena, regarded Judaism not only as alien but incompatible.²⁸ Thus, during the period of reaction to emancipation, it became evident that civic and political equality did not bring social acceptance.

The paradox resulting from contradictory expectations - on the one hand, social incorporation and the persistence of Jewish social cohesiveness,²⁹ and on the other hand growing

nationalism - was at the root of an equally modern movement paralleling and opposing emancipation: modern antisemitism. The conjunction of nationalism and racist theories challenged the political and civil rights of the Jews, rejected their social assimilation on grounds of inferiority, and culminated in a tragically modern event - the Holocaust.

We may further analyse emancipation in the light of the emergence of Jewish nationalism. Support for the emancipation of the Jews on the basis of their expected assimilation, especially during the revolutionary period of 1848,³⁰ and the development of European nationalism with its emphasis on historical consciousness,³¹ contributed to the rise of a modern Jewish national consciousness and hence to a new definition of Jewish modernity, that was provided by the Jewish national movement and Zionism. These movements attempted to cope with the limits of emancipation by proposing alternative solutions that ranged from national autonomy to self-emancipation. The search within the conceptual parameters prevailing in the nineteenth century for elements that might contribute to the definition of a national identity by combining universality with particularism, was characteristic of the great theoretical effort associated with the Jewish national movement.³²

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Further considerations may arise within the context of teaching in a Latin American university. Clearly, the history of the emerging states of Latin America and Mexico during the nineteenth century was also steeped in the principles of the natural rights of man and of the national ethos. However, the developments on that continent were set in a historical time frame which differed from that of Europe, and were influenced by a different set of socio-economic, political and cultural conditions.

The wars of independence and the emergence of national states on the South American continent were contemporaneous with the major bourgeois revolutions in Europe. Although the concept of society in the nascent Latin American states was inspired by European models, these models were superimposed upon different structures and practices, and were partially reinterpreted in accordance with the unique Latin American ambience. This is also true of the relationship between nationalism and both liberal and conservative world views in Latin America.

The relationship of the state to society was forged in prolonged and often painful internal struggles and in

resistance to the expansionist attempts of external forces.³³ However, owing to the particular features of Latin American history, the state was considered to be the creator of a unified homogeneous society sharing a single national identity. Legal sovereignty and national sovereignty were interwoven. Even in a republic founded on rational premises, liberalism sought to create a single national political form.³⁴ Therefore, from the beginning of the state, the concept of national sovereignty - the principle upon which a unified society was to be built and that was to serve as the bulwark against foreign interference - was connected with the aspirations of various political movements. The transformation of the Mexican state into a national state was consummated with the triumph of the constitutionalist and liberal revolution. The subsequent Mexican Revolution at the beginning of the twentieth century was a struggle against the dictatorship of Porfirio Díaz as well as against foreign domination. Revolutionary nationalism sought to justify its roots in the liberalism which triumphed with the victory of the republic in the wars of Reformation.³⁵

The search for shared cultural roots as a tool for achieving social integration - which was understood as national identity - developed within the context of the

ongoing desire for political and economic independence. Whatever was foreign or different was considered a challenge to integration. Thus, national culture became monolithic, within the framework of a centralised national state that, although conceptualised in terms of a federal republic, did not realise the federalist intention.

The presence of the Jews in significant numbers was not felt in Latin America until the final decades of the nineteenth century when the deteriorating situation in Europe impelled a massive migration of Jews.³⁶ Thus the legal emancipation of the European Jews preceded their presence in the Latin American states.³⁷ Consequently, any analysis of Jewish emancipation in Latin America requires viewing it in the context of the twentieth century. Consideration must be given to the contrast between the legal status of Jews and the legitimacy granted their distinctiveness by the social, cultural and ideological trends prevailing within the surrounding national cultures and societies.³⁸

NOTES

1. The idea that legal equality and the consequent integration of the Jews into the surrounding society is the determining and almost exclusive feature of modern Jewish history was emphasised by historians such as Jost, Philippson, Geiger and Dubnow, and characterised the major historical approaches until the 1930s. See La Emancipación Antología de Artículos en Perspectiva Histórica, David Bankier, ed., Jerusalem, 1983, p.viii. For a reexamination of emancipation in the light of other events and historical processes, see, for example, Jacob Katz, From Prejudice to Destruction, Anti-Semitism 1700-1933, Cambridge, Mass., 1980; Nathan Rotenstreich, 'The Jewish Question against the Background of the Emancipation', Forum 1, 1953, pp.69-83; Salo W. Baron, 'The Impact of the Revolution of 1848 on Jewish Emancipation', Jewish Social Studies 11, 1949, pp. 145-248.

2. See Shmuel Ettinger, 'The Beginnings of the Change in the Attitude of European Society Towards the Jews,' Scripta Hierosolymitana 7, 1961, pp. 193-219, and Salo W. Baron, A Social and Religious History of the Jews, Vol. 2, New York, 1937, p.164.

On the appearance of the term 'Jewish emancipation' and its different meanings and uses, see Jacob Katz, 'The Term "Jewish emancipation": its Origin and Historical Impact', A. Altmann, ed., Studies in Nineteenth Century Jewish Intellectual History, Cambridge, Mass., 1964, pp.1-25. The term 'Jewish emancipation' was introduced in the course of the struggle for the achievement of civil and political equality. As Katz points out, the term began to be used in 1828. From that time onwards, it replaced other expressions such as Burgerliche Verbesserung, Naturalization, and Reform. I consider it important to retain the term, although it is not value-free, and to take into account both its conceptual and its historical development. As in the case of 'State', which is simultaneously a concept and a historical institution, 'emancipation' has to be analysed in the context of interaction between these two dimensions.

3. See Reinhard Rurup, 'Jewish Emancipation and Bourgeois Society', Yearbook of the Leo Baeck Institute 14, 1969, pp. 67-91, and Jacob Katz, op. cit.

4. See Salo W. Baron, 'Newer Approaches to Jewish Emancipation', Diogenes 29, 1960, p.57.

5. See Jacob Katz, op. cit., p.13.
6. See Leon Poliakov, Histoire de l'Antisémitisme. De Voltaire à Wagner, vol. 2, Paris, 1968; p.9.
7. Concerning the need to study emancipation beyond the legal framework, see Salo W. Baron, op. cit., pp. 56-81.
8. See Simon Dubnow, Historia Universal del Pueblo Judío, vols. 8,9, Buenos Aires, 1951.
9. Jacob Katz, op. cit., 1, pp.1-3
10. Reinhard Rurup, op. cit., pp.68-70.
11. On the relation between state and nation, see Luis Aguilar, Política y Racionalidad Administrativa, México, 1982. On the interaction between political thought and politics, see Sheldon S. Wolin, Politics and Vision: Continuity and Innovation in Western Political Thought, Boston, 1960.
12. Jacob Katz makes reference to Locke's First Letter Concerning Toleration, which mentions for the first time the possibility of a secular state that would include the Jews

as citizens, as one of the earliest steps towards emancipation. See Jacob Katz, 'La Emancipación Judía: Ideología y Política', in Popik, ed., La Condición Judía Contemporánea, vol. 2, Jerusalem, 1968, pp.69-76.

13. See Ernst Cassirer, The Philosophy of the Enlightenment, Princeton, 1951, ch. 4, 'Law, State and Society'.

14. See Irving Louis Horowitz, Elementos de Sociología Política, México, 1972, pp.41-75

15. Robert Nisbet, History of the Idea of Progress, New York, 1980, pp. 179-236.

16. See Selma Stern-Tauber, 'The Jew in Transition from Ghetto to Emancipation', Historia Judaica, 2, 1940, p.102.

17. See Edmund Burke, Reflections on the Revolution in France, New York, 1960.

18. See Isaiah Berlin, 'The Counter-Enlightenment', in Against The Current: Essays in the History of Ideas, ed. Henry Hardy, London, 1979.

19. Of special importance is Hegel's attempt to achieve a philosophical synthesis between the romantic concept of historical development and the central role assigned to reason by the Enlightenment. See Irving Zeitlin, Ideología y Teoría Sociológica, Buenos Aires, 1982, pp.52-55. Cf. also Michaelangelo Bovero, 'Política y Artificio: Sobre la Lógica del Modelo Iusnaturalista', in N. Bobbio and M. Bovero, Origen y Fundamentos del Poder Político, México, 1984.

20. Joseph de Maistre, Works, Jack Lively, ed., New York, 1965.

21. Ibid. See also I. Zeitlin, op. cit., pp.56-68.

22. Berlin, op. cit.

23. On the relationship between the philosophical position of various thinkers and the particular way they dealt with Jewish emancipation and the 'Jewish Question' see, for example, Nathan Rotenstreich, Jews and German Philosophy, The Polemics of Emancipation, New York, 1984; Arthur Hertzberg, The French Enlightenment and the Jews, The Origins of Modern Anti-Semitism, New York, 1970.

24. Pronouncement by Count Clermont Tonnerre in the French National Assembly, December 23, 1789, quoted in A. Hertzberg, op. cit., pp.359-361.
25. H.D. Smith, 'The Terms of Emancipation 1781-1812', Yearbook of the Leo Baeck Institute 1, 1956, pp.28-47.
26. See Salo Baron 'Newer Approaches...', op. cit. p.71.
27. See Jacob Katz, op. cit., p.74.
28. See Selma Stern-Tauber, op. cit., p.112.
29. See Jacob Katz, Out of the Ghetto: The Social Background of Jewish Emancipation 1770-1870, Cambridge, Mass., 1973.
30. Salo Baron, 'The Input...', pp.230-235.
31. See Hans Kohn, The Idea of Nationalism, New York, 1961.
32. See Simon Dubnow, Nationalism and History, Essays on Old and New Judaism, Koppel S. Pinson, ed., New York, 1970.
33. For Mexico, see Charles A. Hale, Mexican Liberalism in the Age of Mora, 1821-1853, New Haven, 1968; Jesus Reyes

Heróles, El Liberalismo Mexicano, 3 vol., Mexico, 1974;
Moisés González Navarro, El Pensamiento Político de Lucas
Alamán, México, 1952; José María Luis Mora, Méjico y sus
Revoluciones, 3 vol., Mexico, 1950; Emilio Rabasa, La
Constitución y la Dictadura, México, 1956.

34. Jesús Reyes Heróles, op. cit., vol 1., p.x.

35. See Arnaldo Córdova, La Ideología de la Revolución
Mexicana, Mexico, 1973, ch. 11; David Brading, Los Orígenes
del Nacionalismo Mexicano, México, 1973.

36. For the beginning of the Jewish presence in Latin
America see Haim Avni, The History of Jewish Immigration to
Argentina, 1810-1950, Jerusalem, 1982 (Hebrew); Corinne
Krause, 'The Jews in Mexico: A History with Special Emphasis
on the Period from 1857 to 1930', unpublished Ph.D.
dissertation, University of Pittsburg, 1970.

37. Haim Avni, Emancipation and Jewish Education. A Century
of Argentinian Jewry's Experience, 1884-1984, Jerusalem,
1985 (Hebrew).

38. See Haim Avni, Zionism in Latin America, Jerusalem, 1976
(Hebrew); and Antisemitism Under Democratic and Dictatorial

Regimes: The Experience of Latin American Jewry, Jerusalem, 1985 (Hebrew).

philosophical syntheses between the various
 historical development and the central role assigned
 reason by the Enlightenment. See Irving Lavin, Enlightenment
 y Teoría Sociológica, Buenos Aires, 1981, pp. 21-22.
 also Michaelangelo Novato, 'Políticas y Artísticas: Sobre
 Lógica del Modelo Inestabilizado', in H. Bordin and
 Novato, Origen y Fundamentos del Poder Político, México,
 1984.

20. Joseph de Mello, Varia, Jack Lavin, ed., New York,
 1965.

21. Ibid. See also I. Lavin, op. cit., pp. 26-28.

22. Ibid., op. cit.

23. On the relationship between the philosophical concepts
 of various thinkers and the particular way they dealt with
 Jewish emancipation and the 'Jewish Question' see, for
 example, Varia, Michaelangelo Novato and Irving Lavin,
The Politics of Emancipation, New York, 1984; also
 Hertzberg, The French Enlightenment and the Jews,
Origins of Modern Anti-Semitism, New York, 1970.