

Chapter Title: CONCLUSION Ten Theses on Emancipation

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Ten Theses on Emancipation

One. Emancipation is the principal event of modern Jewish history. The process of gaining and retaining, exercising and defending, losing and recovering rights has been at the heart of the Jews' experience over the past four and a half centuries.

Two. The term "emancipation" was historically polysemous: it referred to the liberation or elevation of numerous groups. The application of the term to Jews is directly linked to the release of adherents of dissenting or minority religions from persecution or an inferior status. European states defined citizenship vis-à-vis religion. Jews followed other dissenting and minority religions in gaining rights. The Jews' emancipation was an integral aspect of the creation of citizenship across Europe.

The states employed two legal traditions: citizenship by residence (*jus soli*) and citizenship by descent (*jus sanguinis*). These laws could be deployed in an inclusive or exclusive manner.

Civil rights denote the freedoms of residence, occupation, property, and worship; political rights denote the franchise, elected and appointed office, and civil service positions.

Three. The emancipation process commenced around 1550 when Jews began to receive extensive privileges in eastern and western Europe and in some instances rights in a nascent civil society. After the first partition of the Polish-Lithuanian Commonwealth (1772), Russia (Catherine II's "Charter for the Towns," 1785) and the Habsburg Empire (Joseph II's edict for Galicia, 1789) attempted but failed to make a transition to rights. Subsequently, the partitioning powers (Russia, Habsburg Empire, Prussia), each in its own way, attempted to dismantle the private market town and the Jewish-gentry alliance that had generated the Jews' privileges. In western Europe there were diverse transitions from privileges and rights to equal rights.

Four. There were two legislative models of emancipation.

Joseph II promulgated a conditional, partial emancipation by reform in which numerous restrictions, many onerous, remained in force. Jews gained rights by moving both “into” estates, for example, admission to guilds, and “out of” estates, for example, dismantling the corporate Jewish community. Joseph II’s legislation was the model for states undertaking reform until the mid-nineteenth century.

The French Revolution offered a model of unconditional, full emancipation by revolution—even though the reality was ambiguous. Jews were extracted “out of” estates as part of the Revolution’s attempt to dissolve all corporations. The revolutionary option emerged with seismic events such as revolution, national unification, and the restructuring of empires.

Five. There were three regions of emancipation. The “east-west” binary, an ideological construct, neither explains the process nor fits the facts.

- A. In western Europe Jews gained civil rights through the circumstances of settlement. They mobilized to gain political rights. This pattern obtained in the Atlantic world as well.
- B. In central Europe civil and political rights were at issue. The states granted conditional emancipation contingent upon a regeneration that they legislated and supervised. The states moved Jews both “into” and “out of” estates. A complicating factor was the region’s dualism of local and state citizenship. That dualism assumed new forms in imperial Germany (federal vs. state law) and the Third Reich (Aryan citizens vs. non-Aryan “state members”).
- C. In eastern Europe civil and political rights were at stake. Tsarist Russia adapted to its own needs central Europe’s legislation of conditional emancipation. Its quid pro quo was one of regeneration for privileges, albeit for individuals. Emancipation was always about inserting individuals “into” the state-instituted estates. Russia and Congress Poland granted political rights prior to civil rights.

Six. The Ottoman Empire comprised a fourth region of emancipation. It granted equality to adherents of minority religions as individuals while solidifying the religious communities (*millets*). The Ottoman state accorded those communities authority over education and jurisdiction over personal status law.

Seven. The equality of Judaism was fundamental to the Jews’ equality. Emancipating the Jews entailed emancipating Judaism. The status of Judaism vis-à-vis other religions was therefore of the utmost

importance. States legislated that status; it was written into law. It was also built into synagogues in their status as either “private” or “public” ecclesiastical buildings.

Eight. Emancipation mobilized Jews politically. Jews actively engaged in the emancipation process at all points in gaining and defending, retaining and recovering rights. Jews established an array of voluntary societies—welfare organizations, civil defense organizations—as well as political parties to gain and protect rights.

Nine. Emancipation was ambiguous and interminable. It was neither a one-time, chronologically discrete event nor a linear one. It was recurring. Jews gained and lost and regained and re-lost rights. Emancipation was also fundamentally ambiguous. There were discrepancies between laws and their implementation, between appearance and actuality. There were triumphs and tragedies, progressions and retrogressions.

Ten. Emancipation was at the heart of the twentieth century’s colossal events. Organized political anti-Semitism’s primary goal was to restrict or abrogate emancipation. The Nazis’ destruction of emancipation was the first step toward the Holocaust. The invention of Zionism and the establishment of the State of Israel were predicated on emancipation’s abject failure in principle and in practice. In the late twentieth century Jews in the United States and Israel struggled to achieve equality. That process endures. Jews everywhere continue to live in the age of emancipation.