

# The Jewish Community As A Force For Jewish Continuity: An Historical Perspective.

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## General Characteristics

Few are the institutions in the human history which could be compared to the Jewish Kehila. Rooted in notions of almost legendary antiquity, the Jewish community organization proved its vitality and endurance by its permanence, its uninterrupted existence for more than two thousand years of history and its almost fabulous flexibility and faculty of adaptation. Adaptation, however, was not an aim in itself. The aim was and remained that of safeguarding the existence of a nation, its legacy and its values, a nation scattered over continents, in ever changing surroundings and circumstances. A nation which existed for more than two thousand years without a state, and which today, after the creation of the State of Israel, exists in a particular way, when more than three-fourths of its sons and daughters live outside its boundaries, found in the Kehila a mechanism of self-preservation, an instrument to perpetuate patterns of life and ideals of behaviour, accepted or recognized as incumbent and normative.

Two thousand years of history etched in the Kehila organizational features created in a given set of circumstances and then transmitted from place to place and from generation to generation. In that process, however, it shed characteristics no longer in tune with new demands and circumstances, transforming the obsolete and adding others conditioned by the exigencies of Jewish autonomous evolution and pressures of the external world. However, the changes were far more marked in structure and outward trappings than in the basic essence of the Kehila organization. Although for the alien and for the more recent secular

historian, the Kehila was first of all an instrument of dealing with the outside world, for the Jews, on the contrary, it was the basic structure of life, regulated by the precepts of Jewish existence, the framework in which a man led his life, brought up his family and saw his children grow and prosper.

Despite the changes which off-and-on transformed the Kehila in the course of history, some features were ever present and recurrent. One has the impression that a genetic imprint of highest antiquity featured its characteristics. Historically, the Kehila is a descendant of one of the basic notions of Judaism, namely that of *Adath Adonai* (the Community of God). Whatever the original meaning of the expression, the religious ingredient of the notion transmitted to all its progenies in the ages to come a transcendental dimension which made it different from other and often similar institutions which existed in other cultures and religions. The *Kehila Kedosha* or *Kahal Kadosh* (Holy Community) carried with it the belief that the cohesion of the members was not only earthly bound and earthly aimed to fulfill specific tasks of existence, but that this particular bond was imbued with a sense of holiness, impregnated, so to say, with an everlasting presence of Providence. This perception of the transcendental created a particularity of bonds between the members of the Kehila; it added a spiritual dimension to its *raison d'être*. There was no need to take an oath of allegiance to the Kehila; one, being a Jew, was born into it, as one was born into a faith or a nation. The Kehila as a collective and corporate body, and those who served it as its leaders and officers, took on a responsibility not only to the living

members of the community, but also a responsibility to Providence; a responsibility to follow a given way of life, a pattern of behaviour which made life not only possible, but gave it a meaning, beyond the obvious necessities of existence. It was not necessarily and not always the positive precepts of faith which gave a religious dimension to the Kehila. It was rather the consciousness of responsibility beyond space and time of every age which guarded its specific character.

Another characteristic of the Kehila which bore the sign of its inception was the almost instinctive impulse to seek and find common bonds with other Kehilot. Although the Kehila can be traced back to Palestinian Jewry when it still enjoyed its statehood, its importance and the major role it played in our history were created in the Diaspora. The earliest Diasporas, nearer to home in the Near East, especially in Hellenistic Syria and Egypt, had before their eyes similar groupings of non-Jews, whether organized in the Hellenistic *polis* or of smaller groupings of people in a foreign land, who found cohesion in a communal bond. This did not prompt the creation of any other links than those on the local level. Not so the Jewish community. Almost at every stage of its history, the Jewish communities endeavoured to find links and connections with other Jewish communities. Sometimes it was a formal organization of a number of neighboring Kehilot, more often, less formal supra-community organizations sprang up in the different Diasporas. Such encompassing organizations influenced and strengthened the position of the Jewry vis-a-vis the surrounding, more often than not, alien and enemy world. The supra-organizations only rarely intervened in the life of single communities; they rarely legislated in the sense in which a particular community legislated, though such cases are not unknown. Their aim was a combination of solicitude for a Jewish way of life to be assured by gaining the favor of the powers-that-be, but at the same time they were moved by the profound feeling of *Klal Israel*, destined by history to live in split-up

entities isolated from each other. This ever present urge to find a larger framework of existence drew its inspiration from the practical needs of the moment as well as from the desire to satisfy the feeling of belonging, of not being merely a small island surrounded by an enemy sea. Brothers reached out a hand to find the warmth of kindred others. This ever recurring phenomenon to create larger organizations took on a more particular form when historical evolution created situations of small and widely scattered settlements, sometimes simply few or even single families, in the vicinity of larger Jewish communities. The larger, well established communities regarded it as a self-evident duty to care for the smaller communities and take care of the village Jews, who only on a few days a year could come to observe the great Feasts in the Jewish climate of a larger community.

This particular characteristic which time and again recurs in Jewish history was often strengthened by the secular powers, rulers or states, for purposes of their own. In the loosely structured states of medieval and early modern Europe, with their inadequate administrative infrastructures, the powers-that-be found it suiting their purposes, almost always financial difficulties, to have some kind of an overall organization of the Jewish communities. Thus needs felt from within and external pressure tended in the same direction. Yet, despite appearances, formal overall organizations were rather exceptions in the varied history of the Jewish communities.

A third characteristic of the Kehila was as much a legacy of history as of the basic beliefs of Judaism. As far back as the Roman Empire, the ruling power acknowledged a particular relation of the Jewish communities with their Fatherland. Thus, permission was given to the communities to pay taxes to Jerusalem. This legitimized the rule of paying the *shekel* to the Temple in Jerusalem, and after its destruction, to the *Nasi* in the Land of the Forefathers. Obviously the changing historical situation and the permanence of the Diaspora weakened the formal links with *Eretz*

*Israel*, especially since the late Roman Empire, when the last traces of official Jewish authority lapsed into abeyance. And yet the bonds and links with the Holy Land did not entirely disappear. There were periods in history in which Palestinian Jewry claimed precedence, even actual hegemony, over the mighty Jewish Diaspora in Babylon, a claim which was often expressed practically by a demand for territorial rights, as for example the claim to appoint *Dayanim* in far away Egypt. More often it took a different, non-formal character of responsibility for the Jews in the Holy Land. An officially decreed collection of money, material help or political intervention in times of need, all, were expression of a transmuted legacy of antiquity to keep alive the bonds which united the dispersed Jewry with the historical cradle of the nation.

The last characteristic, though it appears to be a very modern one, can actually be detected in the highest antiquity. In modern terms we could describe it as pluralism in the confined space of the community organization. From time to time, following the rhythm of external events, the homogeneity of a given community was broken by the influx of immigrants, whether refugees fleeing persecutions, or immigrants attracted by privileged, legal and economic, conditions of the particular community. If the waves of immigration were considerable, the newcomers were not easily integrated into the existing community. There was not only a clash of interests, the autochthonous Jews trying to safeguard their standing—very often the most essential sources of livelihood, but there was often a clash of backgrounds and cultures, different customs, different spoken languages and differences in liturgy. The new immigrants instinctively clung to their mores, which were often elevated to sacrosanct precepts precisely because they represented the old established order, the memories of an allegedly perfectly ordered society, which was destroyed. The prayer place, a particular prayer place, the most obvious meeting center, became the hub of the uprooted, creating a community within

a community. If there was no external interference, like that by the ruling power, to coerce a more uniform organization, the synagogues, which we may call "ethnic synagogues," continued to thrive, perpetuating the existence of particular groups. The recent versions of *landsmanschaften*, whose outlook at given periods was secularized, are historical descendants of those *kenista* of Babylonian and Palestinian Jews in medieval Egypt, or Spanish and Portuguese Jews in early modern Holland.

But this type of pluralism was not always the result of external events, but often the result of explosive intellectual or emotional stirrings inside the communities. Such typical cases were the great historical clashes between the *Hassidim* and *Misnagdim* of Eastern Europe, which rent the great centers of Judaism in a bitter, almost fratricidal, confrontation. Communities were split and nuclei of opposing forces around their leaders, prayer places and *Batei-Midrash*, became the radiation points of the opposing forces. In such cases the communal institutions became the target of power politics of the opposing forces. At the beginning of our century, when the traditional community which arose on the debris of the medieval community was losing its grip, new factors in the form of political parties supplanted the traditional forces. Their first target was the communities, often regarded as a stepping stone in the struggle for domination of larger segments of Jewish population. Elsewhere it was religious ideologies which disrupted the once theoretically homogeneous community, but by then the general framework of Jewish existence was so different that the notions of community were transmuted into entirely different frame organizations.

One looks back with a feeling of awe and admiration at the grandiose historical spectacle of the single institution, whose permanence is rivalled only by the continued existence of the Jewish people themselves. Each age and each Diaspora, hundreds of years and a thousand miles separated from others, yet saw an ever recurrent institution live, not

necessarily linked to, not necessarily a physical descendant of its predecessor, but having more the nature of an inner permanent force which expressed itself everywhere. Flexible and adaptable to the rhythm of historical evolution, to the ever-changing form of society, it absorbed, if need arose, alien elements in its functions and made them its own. For almost a hundred generations Jews were born into communities and did not need to take an oath of allegiance, such as the European burgher took to his city or commune. The "oath of allegiance" was that of the oath taken and the covenant concluded on Mount Sinai, in the mystical origins of the nation. The engendered spark of sanctity remained forever alive as a mighty bond for those who belonged, a life-giving power which imbued the community with a spontaneous vitality and the power of endurance.

From the *politeuma* of Alexandria, the *kharat al-Yahud* of the Near East, the *Judearia* of medieval Europe, the *Judenstadt* of Central Europe, the *landsmanschaften* and Federations of the New World, and the *Vaadim* and *Kollim* of the Holy Land, the Jew clung to his community as long as he felt that Judaism, its heritage and his way of life have a meaning beyond the material existence.

#### Antiquity

The famous Talmudic saying, *Dor dor vedorshav, dor dor vehakhamav* (Each age and its sages: *Sanhedrin* 35) can be justly paraphrased, "Each generation and its community." The foregoing introduction has sketched what seem to be the permanent features of the institution. But within this frame, once they left their native soil, Jews formed types of associations by merging basic notions derived from the times of statehood with social structures and social ideologies prevalent in the different Diasporas and their local exigencies.

Jewish statehood and community government co-existed for centuries in a dialectical situation of complementary and competing notions. The central power could have

regarded the community as an instrument to execute its own orders, to see in it a kind of prolongation of its own powers by delegation, but the community often took a different view. With inadequate bureaucratic infrastructures, the normal attitude of the central government was to assure its rule by a system of nominations radiating from the center to the periphery. This, obviously, created local opposition, which only extremely authoritarian governments could disregard. The compromise was reached empirically when members of the local aristocracy or notables of townships, regarded as loyal by the central government, were nominated to head the local community. This was simply a *de jure* sanction of a situation which existed *de facto*. The biblical "Great men of the city," or the "Elders of the city," represent this type of local government which functioned at the "Gates of the city," where litigations were resolved and local ordinances, often religious in character (like fasts), were pronounced and promulgated. This communal autonomy limited as it was in scope and territory was an important cog in the State machinery, considering the technical difficulties in attempts to rule from the center numerous, very small and almost entirely rural communities.

An important milestone in the development of the community organization was the emergence of the local prayer place, the *Beit Knesset*, during the period of the Second Temple. Without severing links with the central Temple in Jerusalem, the local prayer-place became a central institution of the local community. Its history might be even more ancient and already at the moment of its documented appearance it had the particular character of a sacral community center. It is quite possible that its earliest name was *Bei Kenishta*, *Kenishta* being the Aramaic equivalent of the Hebrew *Knesset*, meaning the "House of the Community" or the "Gathering place of the Community." As a place of prayer, it was also the meeting place of the community and of its elders when dealing with community affairs. Often it became what was

later called *Beit Midrash*, a communal school for children and, according to the particular Jewish pattern of life, a place of study for every willing member of the community.

This type of communal center was created not only in the Diaspora or in Eretz Israel after the destruction of the Temple. It originated possibly during the Babylonian Exile, and possibly became a feature of Palestinian life with the Return from the Exile, under Ezra and Nehemia. The New Covenant of the ingathered exiles and the efforts to diffuse the knowledge of the Torah probably prompted the establishment of *Batei Knesset*, in which the Holy Scrolls were preserved, read and studied. Such institutions existed even in Jerusalem, some on the Temple Esplanade, others in the different quarters of the city.

These were early precursors which began with the traumatic catastrophe, the destruction of the Temple. It is in the centuries following the destruction of the Jewish State, that we get glimpses of what may be called the ideal city or the ideal community, as imagined by contemporary sages of the nation. In a sense they prefigured an ideal type of a city conceived as a community. The sage, the *Talmid Hakham*, we are told, should not settle in a community unless some conditions are assured, namely the existence of a court which judges and executes its judgements, a charity chest, a doctor, a scribe and a teacher of small children (*San.* 18b). Over the ages this ideal type of a settlement would be the aim of every Jewish community. Conversely such sayings, as "any city whose roofs are higher than those of the synagogue will ultimately be destroyed" (*Shab.* 11a) or "any city where there are no school children, should be destroyed" (*ibid.*, 119b), expressed some dimly formulated ideas as to the relation between the sacred place and the palaces of the city aristocracy. The sayings were explicit of the Jewish attitude to education and upbringings of children.

Jewish community life was well rooted in the soil of Israel even at the time when the Jewish State formed the outer frame of existence. And it was the particularity of the

Jewish genius that these early institutions not only survived the state but became the physical forms of existence of future generations after the disappearance of the state. It was a fortuitous but lucky coincidence that the Hellenistic Near-East, with its mingling of races, religions and languages, offered conditions propitious for hammering out basic organization forms and functions of Jewish communities. In the Hellenistic cities on the coast of Israel as well as in far away Alexandria a problem emerged, rare until then or perhaps even non-existent in the earlier period. The notions of city and community no longer corresponded or coincided. There had emerged a new type of city, a city which had a legally defined standing in public law, and within whose perimeter there was a plurality of heterogeneous communities. The Hellenistic Near-East furthered the co-existence of the diverse communities in the same inhabited area and consequently recognized their diversity, their distinctiveness, which could not be preserved but by the grant of a modicum of self-government to the individual communities. This was a novelty in Jewish life and it antedated the loss of Statehood. In these cities with their mixed populations, the institution of the *Kehila* experienced the apprenticeship which prepared the nation for the long journey in the future.

Drawing on Greek vocabulary for its native functions, the *Kehila* of the Mishnaic and Talmudic period, that is the period of Roman and Byzantine domination, formulated the major features of its tasks, and its organization gained in clarity. Despite its outspoken aristocratic or plutocratic character, traces of earlier, more popular foundations survived, although their efficaciousness may be doubted. Theoretically its major constitutive element was the General Assembly of the members of the community. In local matters, all power was in theory vested and delegated by this Assembly, which chose its own institutions and officers. But in Antiquity as in the Middle Ages, among Jews and non-Jews alike, votes were weighed and not counted. *Rov minyan*

(majority of votes) and *Rov binyan* (decisive factor) did not correspond, which meant practically that the elected leadership was chosen from among a rather very limited circle of notable families. In larger communities, side by side with the officers and leaders, there might have functioned a Council composed of the heads of the great families momentarily not in office. For all practical purposes, the effective rule of the community was that of its notables, those whose voice was heard in communal affairs.

The official leadership, by whatever name it was known, *Archonts*, *Bouleutai*, the Elders, the Great Men of the City, the Seven Good Men of the City, very often the *Parnassim* (lit. breadgivers), certainly commanded a lot of power. Appointments to the courts of justice, the imposition and division of taxes, the handling of the community chest and community property were certainly enviable positions of responsibility. The collective or individual responsibility of the leadership for collecting taxes from the community for the government at the same time gave them coercive power but must have been a mixed blessing. The *Midrash* described the *Parnassey Israel* as men who give their life for Israel. They were "the eyes of the community" says another source, those who navigated dangerously overburdened boats in unpredictable waters. Even more was this the case in cities with a mixed population, where, in the nature of things communal interests clashed and where the city council, the *boulei*, was composed of representatives of the different communities, each fighting for position but also safeguarding the interests of the members of his own community.

The time of Roman rule of the Hellenistic Near-East was the period of apprenticeship. The Jewish community had to cope with an alien government, with a city council and with other communities in the frame of the city. With time, the *Kehilot* of the Diaspora integrated different ingredients into a harmonious and elaborate whole, adopting and adapting

what time and circumstances prescribed. In this context, a propitious intervention of foreign rule was a milestone of paramount importance for the future. Already in the first century B.C.E. the Roman rule legalized the standing of the Jewish communities in the Diaspora by acknowledging their members' right to be judged by their own courts and their own laws. Thus were laid the foundations of Jewish legal autonomy, expressed in the existence of particular courts, judges and men learned in the law—all the salient features of any substantial Jewish community in the Diaspora, for the next millenium. This type of recognition, however, did not create immunity enclaves, not even in litigations between members of the community. They could, at their will, have recourse to the common courts of the State. Roman legislation only created the frame; the internal force of cohesion of the Jewry filled it. It was this strong cohesion which ostracized any appeal to *Arkacot Goyim*, invoking the intervention of the State, an appeal to a non-Jewish court which could end in its interference in the internal affairs of the community and undermine its precarious autonomy.

The officially acknowledged privileged position of the Jewish community, which also recognized the special relation of the Jewish Diaspora to Jerusalem by the payment of taxes to its Jewish authorities, and later to the hereditary *Nasiim*, who ruled the Jews in Eretz Israel, also included: the right to appoint officers and to create community institutions, the right to own and acquire communal property, and, most important, the right to impose communal taxes. Once these acknowledged privileges were moulded into a harmonious whole the different, often local, developments and expressions of Jewish autonomy all over the immense stretches of the Roman Empire became more homogeneous. Recognized by the State and then confirmed again and again, it survived the conversion of the Roman Empire, during the fourth century of the C.E., to Christianity.

### The Babylonian Diaspora

In the meantime, on the eastern frontiers of the Roman Empire, in ancient Mesopotamia and more to the east, deep into Persia and north into Armenia, one of the greatest and most permanent Diasporas was created. This was the Diaspora of Babylon (*Galut Bavel*), which for contemporary Jewry was the Diaspora *par excellence*. If not referred to specifically as *Bavel*, it was simply *The Golah*. Here patterns of an organized community were created which functioned for almost a thousand years. It will not be exaggerating to say that here Jewry and its local as well as general patterns of organization came as near as possible to statehood without the actual possession of sovereignty. Created in very particular and in most propitious circumstances this glorious chapter of creativity in our history was never repeated again. Neither were its organizational patterns. Its future influences lay more in the Halachic decisions which regulated the lives of communities and were invoked by later ages and in some features of infrastructures. The overall frame of existence remained a historical episode often an object of nostalgia not to be equalled again.

Whereas Palestinian Jewry after the destruction of the Second Temple found an expression and outlet for its longings for independence in the *Nessiim*, Babylonian Jewry boasted the legendary origins of its leadership in the descendants of the sacred House of David. The *Rosh Hagola*, the Head of the Diaspora, claimed his title and position by the hereditary title of his family. First recognized as such by the Parthian authorities, his position was confirmed by the succeeding Persian and then the Moslem rulers of the Eastern Caliphate. His authoritarian, almost sacred, predominance, strengthened by the enormous wealth of his house, made him the undisputed ruler of Jewry. His were the competences to tax the Jewish subjects of the Empire, as well as the right to appoint officers and judges in all the scattered Jewish communities of the Empire.

The *Rosh Golah* stood for the secular authority of the Jewry. But until most recent times secular authority only rarely, if ever, imposed its authority on Jewry. It was in the spirit of the nation, that the authority of the *Rosh Golah* was flanked by institutions unique in human history, the great Yeshivot, the Academies of Bavel, Sura, Pumpadita, Nahardea. The Head of the Academy, the *Rosh Yeshiva*, though he did not claim sacred royal descent, claimed sovereignty as the highest authority by ordinating Jewish life according to the Halacha in making decisions obligatory on Jewish collectives and individuals. This, in addition to the standing of the Academies as the greatest centers of Jewish learning and intellectual life. Unable to claim a sacred position, they authenticated their preeminence on different grounds: aristocracy and intellect. Although the office was not formally hereditary, it was so in practice. If it did not automatically descend from father to one of his sons, it openly remained the prerogative of a very limited number of families. The *Roshei Yeshivot* cannot be described solely in terms of an intellectual aristocracy. Position was owed a combination of aristocratic descent and intellectual ability, newcomers and potential competitors from outside were shut out of their gilded and charmed circle.

It was below this level of what one may call, for lack of a better expression, central organs of government, that we see the functioning of the local communities. They have their own organs, courts, prayer houses, ritual baths, charity institutions, schools. They have their own council, officers, judges, the *Hazan*, who is often the factotum of the community. Yet all this is supervised from the center, whether through officers appointed by the *Rosh Golah* or by the Heads of Academies. Even if not directly appointed but locally elected, they were approved or confirmed in their office by the central authorities. The writ of the *Rosh Golah* was authoritative wherever Jewish communities were to be found in the immense body of the Caliphate, which stretched from Egypt to the confines of India.

Yet, as said, it was not only the actual secular power wielded by the *Rosh Golah* and his reliance on the powers-that-be, which assured Bavel its predominance in Jewish history. The hegemony of Babylonian Jewry was based on its supremacy in the realm of the spirit. As the greatest center of intellectual creativity, coupled with the prosperity of the Jewish communities, Bavel was the undisputed center of Judaism. Even Palestinian Jewry which could claim particular prerogatives (the fixing of the calendar and announcing of Feast days), and at a given moment (seventh century) saw a *Nassi* who claimed Davidic descent, could not stand up to Babylonian Jewry.

#### Early Medieval Period

Three major converging factors created new realities of Jewish life in the Diaspora. One was the expanding Diaspora. Although there was a Jewish Diaspora in Europe even before there was a Roman Empire, and Italy, Spain and Gaul had their Jewish inhabitants long before the destruction of the Second Temple, it is during a rather obscure process which took place in the Early Middle Ages, during the tenth and eleventh centuries, that a new configuration of European Jewry came to light. It was a demographically formative period, but also a period which created new types of Jewish life, cohesion and communal organization.

The second factor was the disruption of the unity of the Caliphate, which began as early as the middle of the eighth century in Spain, but changed the course of history of the Near East, with the rise of a rival Caliphate in Egypt at the beginning of the tenth century and the progressive weakening of the Eastern Caliphate even in the lands of Asia. This process brought to power local dynasties which paid only lip service to the unity and power of the Head of the Faithful. The disruption of the all-embracing Caliphate brought with it in its wake a similar phenomenon in Jewish autonomy structure, the emergence of independent communal structures in the far flung lands of

the Caliphate.

Third and finally, there was the autonomous, internal evolution of World Jewry. The authority of the Gaonate of Babylon, its legislation and intellectual legacy, made the study of the Jewish heritage almost universal. This unequaled achievement, one of the most important in Jewish life, had surprising but logical and inevitable results on the level of Jewish organization. Men trained in the great academies of Babylon moved from the Near East and settled in North Africa, Spain, Italy and in the north across the Alps, bringing with them the accumulated knowledge of the Babylonian academies. Hesitatingly at first but then openly not only new centers of Jewish life and intellectual activity were established, but the hegemony of Babylon was renounced and broken.

All three summarily sketched factors opened a new period in the history of our nation and in the history of the Jewish community organization. Here was a decisive break with the past and Jewish communal life was restructured on different premises. And yet this break was in the overall, all-embracing organization but not on the level of the basic cells which composed the body politic of the nation. Moreover, true to our pattern of life, it was the spiritual leadership which was responsible for and mediated this transition. Neither demography nor opulence nor prosperity would have been sufficient to mark the new era in our history.

This new period, stretching for some three hundred years (10th to 13th centuries) is dominated by the great luminaries of our nation, figures of great scholars, teachers and legislators. Their legal decisions, their Academies and systems of studies, the philosophers, poets and grammarians, whose decisions became binding law, were the basis of the change from the sacral, aristocratic and state-wide Babylonian organization to the emergence of new entities, the communities of Ashkenaz. For almost three hundred years they dominated the stage of history, writing a most glorious chapter in the vicissitudes of the Diaspora, until external factors shifted the

point of gravitation of our existence to other centers of Europe.

The story of the community organization of Ashkenaz is incomprehensible if one does not realize the major change in the character of Jewish leadership. Here more than anywhere else the break with the past is deeply felt. Neither riches, position, nor *Yihus Avot*, aristocratic descent, were compelling in this new era of leadership. It was sheer intellectual ability, the mastery of Jewish law and the faculties of leadership which were decisive. The new type of leader stressed his filiation with a great master or an Academy, but essentially he was evaluated on the basis of his own achievements, by an extremely critical public of scholars and a not too obedient *Kahal*.

This in itself explains the spirit of independence of the Ashkenazi leadership, but also of its community. Even the smallest of communities was not willing to accept the supremacy of a mighty neighbour. This was not the result of any particular arrogance. More often than not it was the result of a more basic feeling of responsibility by the local leadership for its own community, a feeling of guarding a sacred deposit, and above all, the ever-recurring tenet that local business had to be transacted by those who were locally involved. Yet the striving for absolute independence, strengthened by actual Halacha legislation, was never conceived as splitting up Jewry into non-related cells, families without any links between them.

What characterized the period was an almost permanent tension between the demands for local autonomy and the striving to create bonds between communities. For reasons of prestige but often national *raisons d'etre*, larger communities tried to bring more coherence into the existence of organized Jewry. Whereas smaller communities fought against the infringement of their natural rights, the larger and more prestigious ones were not averse to imposing their hegemony. As early as the middle of the eleventh century, we have a *Responsum (Tshuva)* saying: "Nobody has any right to coerce, even

if they are large and mighty, except for punishment of *Aveyroth* . . . where the Sons of Israel are mutually responsible for each other."

It is then the single community which was the basic cell of existence. Very often the community was a city quarter, physically protected by walls within whose perimeter Jewish life thrived, regulated by the Halacha, which sanctified its existence. The community is *Kahal Kadosh*, the Holy Community. Its inner bonds are in the voluntary association to pursue together, as a community, a way of life which is sanctified by the observation of the Sacred Law. It safeguarded the physical existence and the prosperity of its members; its inner cohesion was based on the mutual responsibility of its members, and, in no metaphysical terms, was based on the bond of mutual help. Almost everywhere the *Kahal* created the same type of institutions, which may have differed in scope but not in aims. There was the charity chest, which in addition to receiving donations was supplied with revenues from the self-imposed taxation; there were the schools caring for children and adults, and the community as a whole was responsible for the education of orphans and needy children, as it was responsible for the widows and the poor. Marrying off poor maidens, welfare and the upkeep of cemeteries and their hallowed ground were additional tasks of the *Kahal*. The hub of community life was the synagogue, which besides being the prayer place of the community was also the meeting place of the community and its institutions. It was the General Assembly in the synagogue which was theoretically the ultimate carrier of sovereignty. Here leaders and officers were elected, here the major decisions taken. Taxation for communal purposes, like the payment of teachers, the upkeep of the synagogue, the care of the *Mikva* and of the cemetery were permanent agenda of the meetings. But whereas such practical matters could have been and actually were decided by the *Parnassim*, the community counsellors, there was also a type of legislation which transcended such matters. These were the

Statutes of the Kehilot (*Takkanot ha-Kehila*), disciplinary in character, which also dealt with the constitution of the Kehila. Basic statutes, rather an exception in the early period, were complemented by ordinances (also called *Takkanot*), which dealt with very weighty matters like economic competition between members of the Kehila or far-reaching decisions to keep out unwanted elements.

The decisions or ordinances were put into force by a court composed of the *Dayyanim* of the community, but sometimes there was recourse to the frightening weapon of the *Herem*, the anathema which struck the trespasser and excluded a man from the community and the company of his fellows. This was not only an economic blow it was a social ostracism. There was a definite trend to strengthen the ability of the *Kahal* to impose its rule. From its decisions there was no appeal, unless one invoked outside powers, and thus put himself outside *Klal Israel*.

As a rule there was a Head of the *Kahal*, a *Parnass*, often recognized by the ruling feudal or ecclesiastical authority of the city, as the "Bishop of the Jews" or the "Magister of the Jews," whose authority was backed by an elected council which participated in the performance of his tasks. Whatever the procedure of election or nomination, it is clear that the elected officers represented the notables and the wealthy members of the community. The fact that they were not salaried officers and their donations were a major contribution to the welfare of the community conditioned this type of communal authority. One could describe the rule of the community as that of wealthy notables if it were not for an additional and different element by the spiritual leaders who lived in the different communities. Often their renown transcended that of a particular community, and their influence was felt not only in larger areas of Jewish settlements, but often it crossed the borders of countries and even continents.

As heads of local Yeshivot in the larger communities, but more often than not men of learning who made a living in commerce or

even crafts, theirs was an authority to which bowed even the mightiest in the community. Independent in the best sense of the word, they interpreted Halacha to meet the needs of their times, without accepting any authority but that of another Halachic sage. They were not directly involved in the running of community affairs, but in their weighty decisions, often taken after consultation with other Talmudic authorities, or in their *Responsa* (*Shelot ve-Thuvot*), or in the more academic elaboration of the exegesis of the *Talmud*, known as *Tossafot*, they created constitutional and behavioral rules incumbent on the nation. Their independence of spirit can perhaps be best illustrated by such a sage as R. Jacob Tam, in the second half of the twelfth century, who argued against the practical rule of imposing the opinion of the majority on any individual in the community. Decisions, he argued, were to be taken unanimously. This did not prevent the communities from refusing to accept in their midst people of bad renown or people who evaded the payment of taxes, thus imposing additional burdens on the others. Other sages took a different opinion, and actually each Kehila wrote its *Takkanot* (ordinances) and ruled itself on the basis of a majority vote. This was a principle accepted in the second half of the thirteenth century by the great luminary of the period, R. Meir of Rotenburg.

Whereas the rule was that of independence of each community, some attempts were made, if not to create larger formal organizations, then at least to promulgate practical legislation incumbent upon communities which were willing to adhere to it. Thus, in the third quarter of the twelfth century, general rules were established in the city of Troyes in Champagne, under the authority of R. Jacob Tam and R. Shmuel b. Meir (Rashbam). Their scope included combatting *malshinim* (informers), the invoking of outside authorities and attempts to be appointed to office by outside authorities. The obvious importance of such legislation was recognized outside the area in which it was created and accepted by

the Jewish authorities in far away provinces and in the lands of the German Empire. Another example of this kind is represented by the common legislation of the three great Rhineland communities: Spire, Worms and Mayence (*Kehilot Shum*, 1220-3), which dealt with the relations of the community and its members, family relations, education and welfare and which spread all over the principalities of the German Empire.

The European communities in France and Germany reached the zenith of their power and evolution during the twelfth and thirteenth centuries. But these two hundred years of grandeur were followed by an age of adversity which began with the expulsion of the Jews from England and the expulsion from France, and, especially after the Black Plague in the middle of the fourteenth century, this tragedy spread to all the great urban centers of the German Empire.

The lords of the Christian cities, secular as well as ecclesiastic, who at the turn of the eleventh century invited Jews to settle in the new urban agglomerations where the settlement of the Jews was an important factor in their development, lost their authority almost everywhere to the growing power of their burgher subjects. The latter, organized in "communes" or city-councils, now became the dominant power in the cities. Their own corporate organization, perhaps even imitating in some respects the Kehila, took over the rule in the city. Their ruling strata were that of the merchant or banking clans, and a clash with the Jewish community was inevitable. The new city rulers demanded their share of the Jewish tax receipts and city legislation became increasingly onerous, until expulsion capped the financially exhausted communities.

In these troubled times, the communities tried their best to preserve the life and property of their members and of the communal organization. These self-protective efforts marked this era in the history of the Jewish communities. Their energies were channelled to prolong, against obvious odds, the right to

remain in the cities. This meant agreement to exorbitant taxes, bribery, and attempts to renew privileges, which, in turn, upset the internal structure of the communities. Those who had contacts with the reigning powers became the almost exclusively ruling clan. Very often they were directly appointed by the princes or city magistrates and were imposed on the communities despite their protests. Not only lay leaders were appointed. Internal evolution created the office of a salaried *Rov* of the community, and even he did not escape the intervention from outside. The dependence of the *Rabbanim* on the community, that is, practically on the lay leaders of the community, contributed much to the worsening of their social and spiritual standing. Despite great efforts and sometimes open protests they bowed to the mighty on whom depended their means of existence.

#### Spanish Communities

At the time a marked decline characterized the communal life of the Kehilot of Ashkenaz, Jewish life flourished in another corner of Europe in Spain. Spain has a special place in the history and the evolution of Jewish communities. Perhaps even earlier than in the communities of Germany, France and Italy, Spain went through the process of a decisive break with the claims to hegemony of the Babylonian yeshivot and their dynasties. Maimonides who left Spain and settled in Egypt (second half of the twelfth century) was quite outspoken about the irrelevancy of their claims. He boldly advocated the independence of the individual communities; he strongly argued the affirmation of the position of a man of learning in his own right, without invoking the *yihus* of the Academy or of his family, and, further, that the spiritual leadership was not and should not be a professional one. A man's learning and wisdom should not be a source of making a living. The spiritual leadership should remain outside the circle of practical administration of a particular community, as the sage's standing transcends it. He himself, as is known, became the oracle of

his generation and followed by the nation as a whole until even our own times.

Though Spain's Jewish communities were in situations similar to those that existed in the heyday of the Jewish communities in France and Germany, they also had particular problems, which were less apparent in Central Europe. Beginning with the Christian reconquista (12th and 13th centuries), the Jews played major roles and were far more numerous in these roles than they were in northern Europe not only in the cities but also in the administration of the expanding Christian Kingdoms, Castille and Aragon. It was there that we see for the first time a new type of leader, whose influence would be felt in the communities—the Jewish courtier. They were usually merchants turned bankers, financial advisors and often treasurers, ministers of finance and financiers of the kingdoms. Some were not only businessmen. Theirs was a special position which reflected an almost unique pattern of Jewish tradition. Many belonged to the highest class of Jewish intellectuals, poets or writers, men versed in Jewish learning. It was almost to be expected that this leisure class which could enjoy all the benefits of learning should produce the favorites, appointed by the Crown to the leadership of the Jewish communities. In direct daily contacts with the authorities, the *Rab del corte* was recognized as the representative of the Jewish communities in the kingdom in their relations with the ruling power. Some, because of their learning were accepted by the communities and even merited the title of "Head of the Diaspora in Spain" (*Rosh galuth Sfarad*); some even established kinds of dynasties, handing down their status to their descendants with the approval of the Crown. The latter saw in the system an easy solution to the problems of Jewish taxation. Moreover, the Spanish taxation system was such that it strengthened the tendencies to create frames of more comprehensive and general organization. This found expression in associations of communities for the *Collecta*, that is the collecting of Jewish taxes due to the

Crown. In time, in the fourteenth century, the meeting of representatives of communities became a permanent feature of the Spanish Jewry organization.

On the local level the communities drew their strength as much from the autonomous Jewish evolution as from the privileges of the state. The Jewish community courts had the rights of high justice, which included the right of passing sentences of death. The latter was demanded not so much for the suppression of criminality as for fighting delators who endangered the life of individuals and the existence of communities.

The basic characteristics of the Spanish communities up to the end of the fourteenth century, and as a matter of fact, until the tragic end of Jewish history in Spain at the end of the fifteenth century, was their outspoken oligarchic character. In almost all the great and populous communities, the leadership of the *Kahal* was vested in two or three dozen families. By a system of rotation, cooptation or elections restricted to a given class, all the legislative and executive powers remained within this group. As their competences included taxation, that is the fixing of the amount of tax on each family, this often brought them to direct interference in the private lives of the members of the *Kahal*. As the whole system was based on "royal" privileges often acquired by the efforts of the most influential members of the *Kahal*, there was little that could have been done to change the situation. These social tensions often left the *Rov* of the community in a most precarious position. As a salaried official it was not easy to be entirely independent of the establishment. Fractions in the *Kahal*, or the demands of the lower classes of the community, left the *Rov* in the unenviable position of taking a firm stand against what he regarded as corruption or injustice. In some cases the Jewish autonomy had even to bow to the common law of the city and of the kingdom, although it did not correspond to Jewish law and procedure.

Despite a change which swept through the

Christian communities in the fourteenth century, when the rise of craftsmen undermined the position of the ruling city patriarchs, this had little or no effect on the *Kahal*. Dependent on royal privileges, it was less responsive to social stirrings inside its ranks. Still, by the end of the fourteenth century (1386), an ordinance tried to check the ruling oligarchy by making the *Kahal* authorities more representative. Whereas three *Neemanim* (and they were as a matter of fact the notables of the community) remained the heads of the *Kahal*, a council of 15 with more than consultative competences was added. It was composed in a way which assured to the three "estates," that is to say the different social strata of the community, equal representation. But this was a rather exceptional experience.

The great calamities of the middle and the end of the fourteenth century (esp. 1384 and 1391) introduced the most somber chapter of our history in Spain. These occurrences prompted a kind of rethinking of the standing and functioning of the *Kahal*. The anti-Jewish outbreaks swept all over Spain and the consciousness of the need for more cooperation between the Kehilot moved into the foreground of political thinking. Moreover, outside influences were at work. Castille, always more centralized than Aragon, took the lead. So in 1432 a famous meeting of the Council of Jewish communities in Valladolid in Castille, with the participation of the *Rov del Corte*, tried to reconstruct Jewish life in the Kehilot. These Ordinances of Valladolid are less a landmark in the history of the *Kahal* than a testimony to the major problems which faced Spanish Jewry in the last century of its existence on the Iberian peninsula. There was first of all the great effort, almost a cruel one, to preserve the autonomy and the existence of the *Kahal*. Any appeal to the Christian judiciary or administration (*Erkhaot Goyim*) was branded as delation (*Malshinut*). The punishment of informers or those who invoked outside interference went from public flogging to the branding of the informer on his forehead with a hot iron. In extreme cases a

death sentence was pronounced.

The effort to safeguard the community was accomplished by an attempt to distribute taxation in a more just manner; there were permanent grumblings and accusations that those in charge of taxation (that is taxes paid by the community to the State) imposed too great a burden on the weaker members of the *Kahal*, whereas the notables evaded their share. The infrastructure of the *Kahal* had to be safeguarded against mismanagement or corruption by regular elections and appointments to the various offices, especially those of the *Dayyanim*. This legislation was conscious of the fact that in the last resort the whole structure rested on the *Talmud Torah*. A whole system of direct taxation (on consumption, like meat and wine, on marriages, on funerals) was introduced to assure the necessary funds for the existence of the Yeshivot or the teaching of children and adults. Each Kehila had to assure the existence of the *Talmidei Hakhamim marbitzey Torah*.

It is of interest to note the particular concern for education. Classes taught by a teacher and an assistant, it was ordered, should not number in excess of 40 students; when there is a teacher without an assistant, then the limit was only 25. And it goes without saying that the *Kahal* had to assure the existence of a praying *minyán*, and to punish anybody who would dare to disturb the cult in the synagogue. Unfortunately the Ordinances of Valladolid were more testimony to ideals than to realities. The calamities of the fourteenth century undermined the existence of Spanish Jewry; the vacillating attitude of the Spanish rulers to their Jewish subjects in the fifteenth century accompanied, as it was, by a great wave of anti-Semitism and the growing grip of the Inquisition, all combined together to make the efforts to reconstruct Jewish life in the communities practically impossible. Jewish leadership was fighting a losing battle against government and church without, and apostasy and flight within. When the tragic proclamation of expulsion sounded in 1492, Spanish Jewry was caught at a moment of weakness.

And yet those who preferred exile and Judaism to the fleshpots of Spain carried with them communal traditions which would flourish again in their countries of new settlement.

The disappearing Jewries in Western and Central Europe found compensation in Northern Africa and the lands to the East which since the fifteenth century entered the folds of the Ottoman Empire. Moreover a vigorous Jewry came of age in Eastern Europe.

### Jewish Communities of Eastern Europe

The disappearance of Jewish communities in Spain found a new Jewry consolidating its positions in Eastern Europe. There were the Jewries of Slavonic lands often dominated by German dynasties but mainly the future great Jewry of Poland. A branch of the Ashkenazi Jewry, although not lacking Oriental influences, reproduced the main frames of organization of the *Kahal* of Central Europe, but by transforming and adapting them, it created a new image of the Jewish Diaspora for more than four hundred years to come.

As already noted, attempts at general organizations of Kehilot were found in many periods and occurred in many areas, but none ever reached the degree of autonomy of the Polish Jewry, neither in scope nor in the effective power wielded.

The major waves of migration which since the thirteenth century augmented the Jewish population in Poland, Bohemia and Austria, brought with them the old-established system of *Kahal* organization. But the characteristic features of the early period of organization were already influenced by the particular structure of Polish Jewry. When Jewish life in the West was more and more concentrating in cities, especially larger cities, in the Slavonic lands, Jews settled not only in the nascent cities (often built by German immigrants) but also in townships and villages. One of the results of this demographic structure was a particular type of Kehila organization, namely a major town as the center (e.g. Posen and Kalish) and a number of townships or villages with small communities acknowledging the

preponderance of the center. It was the chief city which was the Kehila and which took upon itself the responsibility to assure elementary services to the smaller Jewish satellite settlements.

By the sixteenth century the greater communities felt the need for a larger frame of cooperation. This was facilitated by royal or princely privileges, called *Kiyumim*, which guaranteed the Kehilot a large measure of autonomy. This included, among others, absolute rights of jurisdiction over Jews, including the right to pronounce the penalty of death.

The individual community in the great expanses of Poland and Lithuania, which also included parts of the Ukraine, show a great amount of uniformity in their inner organization. The *Parnassim*, or *Roshim* were the leaders of the community and they controlled to a large degree the different offices of the *Kahal*. Theoretically, they were elected by *Borrim* (electors) from among the tax-paying members of the community (*Ba'alei-Batim*). The College of *Parnassim* functioned in a particular way. Three to five of its members were in actual exercise of power on a rotation basis, namely, each was for a month the active head of the community and bore the title of *Parnass Hahodesh*, the *Parnass* of the Month. The ordinances of the *Kahal* were kept in a *Pinkas ha-kahal*, which also included lists of taxes and tax-payers. Some Kehilot kept *Memorbuchs*, which included names of deceased members of the community, sometimes stories of particular events which happened in the community and very often lists of martyrs and martyrdoms.

The responsibility of the greater communities for smaller ones in their vicinity, logical as it might seem to us, created a state of almost permanent tension, usually on the grounds of unjust repartition of taxation; there were also squabbles about geographical divisions of jurisdiction and rights of appeal. Such cases were dealt with on a higher supra-community level, in the *Va'ad Daleth Aratzot* in the territories of Poland and *Va'ad Medinat Lita* in

Lithuania. *Va'ad*, Council, denoted originally the action of common deliberations and not the institution. Though such common deliberation never reached the phase of a formal legal organization, they were institutionalized, and for almost 250 years they were the culminating expression of Jewish autonomous life in the Diaspora. Since the beginning of the sixteenth century and until their formal abolition in 1765, the *Va'adim* played a major role in Jewish life. Moreover, their influence on Jewish historical consciousness survived their abolition. After the massacres and pogroms of Chmielnicki (1648), the *Va'adim* were already nostalgically described as the "High Court of Judgement," and their leaders as the "Great Sanhedrin sitting in judgement" in the Holy Temple. At the time of their abolition, it was felt that this was tantamount to depriving Judaism of its statehood. Deep into our century, the *Va'adim* and what they stood for were regarded by some Jewish historians and autonomists as a possible solution of the Jewish question in the Diaspora.

Though the ideal was far from reality, there was a grandeur in the vision of the *Va'adim* and the story of some ten generations of uninterrupted Jewish autonomy. Their importance in Jewish life and history should not be minimized because their authority was partially based on external factors, like the financial needs of the rulers of Poland and Lithuania. The growing importance of the *Va'adim* was favoured by the failure of the Kingdom of Poland to create a particular, centralized administration of Jewish affairs, that is to say of Jewish revenues. Since the beginning of the sixteenth century Jewish tax-collectors and rabbis were appointed by the government for the different provinces of the kingdom. As always in such cases, there were reluctance and opposition of the Jewish communities to the appointments, though the rabbis were certainly authoritative and competent personalities. By 1551 the Jews, in what was called "Great Poland" (*Polin Gadol*), received a basic privilege to choose their own Chief Rabbi, which postulated a more general

frame of organization of Polish Jewry. However, already earlier there was a general trend in the different parts of Poland to find ways of cooperation among the particular communities dispersed in the immense territories of Poland. The first step in this direction was the creation of Meetings of Provinces (*Va'ad Hagalil*). This happened in 1519 in Great Poland, when representatives of eleven large communities met at Wloclawek and the institution was strengthened by the adherence to the *Va'ad* of the great community of Posen a generation later. The *Va'ad* of "Crown Poland" began (ca. 1550) as a matter of expediency. Its origins go back to the meetings of the great Jewish merchants at the yearly fair of Lublin. The meetings were periodic and usually with the participation of the great spiritual leaders of the Jewry. The meetings became institutionalized in time, one of their main aims being the division of taxes imposed by the State on the individual communities. On the other hand the presence of *Gedolei Torah* on such occasions decided inter-community litigations. The periodic meetings strengthened the bonds of cohesion and the feelings of mutual responsibility as well as the consciousness of need and possibility of common action. Thus, what might be called a Jewish policy was formulated to fight defamations against Jews and Judaism. By the middle of the sixteenth century meetings of Rabbanim began to play a role in dealing with Jewish taxation. These meetings developed into a more representative system, when two delegates sent from each community met together to deal with that problem. Nine elected representatives and three rabbis became the executive instance of the organization, meeting every three years, unless an emergency called for additional and special meetings.

These meetings, a kind of Jewish provincial parliament, if one may use this expression, were differently structured as to the way of election and representation in the different provinces. As a rule, almost everywhere the wealthiest tax-payers had the decisive vote, but in some areas, where economic developments



conditioned a greater dispersion and consequently the creation of new and smaller half-rural communities, the question of their participation in the decision-making process was a permanent bone of contention. Almost everywhere it was the most populous community which had the decisive vote, but we should also add in fairness that theirs was also the chief responsibility. Their major duty was to establish the right type of relations with the government and there is nothing more symptomatic than the emergence of the almost official *Shtadlan*, the go-between for Jewry and government who, by words and bribes had to gain the good will of the ruler or of the ruling classes.

These territorial, provincial organizations culminated in the creation of the far more embracing *Va'ad Daleth Aratzot*, the Council of the Four Lands: Great Poland (Posen), Small Poland (Cracow), Lvov (with Wolyn) and Lublin, to which later on were joined six additional provincial *Va'adim* (including Podolja and Podlesie). This Council of the Four Lands began to function in the middle of the sixteenth century and had basically a dual type of leadership. On the one hand what might be called a lay-leadership vested in the Elders of the Lands or Heads of States. This was the Assembly of the representatives of the different Provinces, headed by the Marshal of the Jews (*Parnass Beit-Israel*). On the other hand there were the Judges of the Provinces (*Dayyaney ha-Aratzot*), composed of the Chief Rabbis of communities and provinces. The latter became a kind of High Court of Polish Jewry, judging litigations between its component parts, but also functioning as judges of the Fairs, but above all the highest instance of legislation backed by the authority of the Halacha. This was often compared to the *Sejm*, the Polish equivalent of a parliament. A similar pattern of organization was followed by Lithuania, where the *Va'ad* was composed of three large provinces and their great centers of Brest Litovsk, Grodno and Pinsk, with well defined frontiers.

The meetings of these different bodies were

to a large extent conditioned by the rhythm of economic life. Usually it was the great Fairs of Lublin or Jaroslav which served as meeting places. But neither place nor date were ever fixed, although some attempts were made in this direction.

The competences of the *Va'adim* were as various as the aspects of Jewish life. The most important was obviously the right of distribution of the government taxes which were assessed on the Jewry as a whole and left to the *Va'adim* was the extremely unpopular task of dividing them among provinces, cities, and townships. It was also clear that from the State point of view this was the *raison d'être* of the whole structure of autonomy, which as a matter of fact broke down when the government decided on a different way to assess the Jewish taxes. Taxation obviously included the rights of coercion. Once a sum was imposed on a district, it was the obligation of the district leaders to assess the revenue of the individuals. This was done by the local oligarchies, usually a group of wealthy and well known people who served as assessors. Their task was certainly not an enviable one, especially as they personally often had to guarantee the quotas of taxations. Cases of refusal of communities, especially the smaller ones, to bow to their decisions, alleging exploitation, even reached state tribunals. No need to add, that in addition to communities, individuals or even whole strata of society in the communities were complaining. When the general economic situation worsened, there was no escape but to look for alleviation through bribery or loans on interest. Both were only temporary remedies, and, as the taxation grew heavier, created a vicious circle.

At the same time excommunications were used to prevent informing or acts to bring about state intervention into internal problems. The Jews wanted to live within the frame of their own secular organization, if the community can even be called by that name. The Jew wanted freedom of faith and cult in his synagogue and nothing beyond Jewish legislation, to organize the community's economic

life in a way to assure the livelihood of its members and at the same time to prevent possible clashes with the outside world. The *Orenda* institution, for example, insured any Jew who farmed revenues from a lordly estate against the competition of other Jews. At the same time an effort was made not to enter into too ambitious projects of farming or economic role with the revenues or incomes of estates (Lithuania took a different position), so as to create safeguards against jealousies of outsiders and so prevent possible adverse repercussions in case of failure.

Along with the various acts of legislation, from *Shtadlanut* to the safeguarding of privileges, legislation regarding taxation and economic life, attempts against defamation and the defense of Jewish lives (*Nekama*—lit. vengeance; actually attempts to bring to court murderers of Jews), there was one occupation which was ever and everywhere present: to assure the survival and continuity of Jewish life. This took the ever present form of assuring Jewish education for children and adults: the existence of Yeshivot. It is moving to see even in the harshest of times taxation being imposed by the community on its members to entertain at their cost a student or scholar to enable him to pursue his studies. This is as continuous and unbroken a charge in the *Takkanot*, as is the care of widows and poor girls to assure them husbands through a *shadkhan*. Teaching young girls Jewish ways of life by their serving in wealthier Jewish families; the care not to live and consume conspicuously are to be found in the *Takkanot*, which also include such items as taking care of families living in isolation from other Jews on an estate or in a village, so that they should be able to perform *mitzvot* and abstain from non-kosher food or activities against the Law (e.g. breeding of pigs).

This great edifice, it must be said, was never a democratic institution. Neither the age nor the realities were ripe in any way for such developments. The *Va'adim* were often high handed, but so were the leaders of the communities. About one-quarter or one-third

of the Jewish population, those who lived outside the principal urban centers, were excluded from any vote though they could bring their complaints to official forums. But in the communities themselves the oligarchies were the real power. It is estimated that only one thousand *Baaley-Batim* in 35 communities had a real right to vote or participate in the ruling of communities, that is to say only about one percent of the total Jewish adult population.

#### Jewish Communities in the Age of Emancipation

When East European Jewries were changing, at least in their central organization, major changes took place in the surrounding world of Western Europe. Soon they began to be felt in the overcrowded ghettos of Central and Southern Europe, and different types of community organizations were emerging in the countries in the West. These changes, which also mark the real beginning of the modern period in Jewish history, coincide in time with the breaking away from medieval patterns of existence. Basically they were the outcome more of external pressures than autonomous Jewish development. Where such pressures did not exist, the traditional patterns remained in force for another century.

In the second half of the eighteenth century, a complex set of factors which changed European society as a whole did away with forms of thinking and existence which were the product of medieval forms of organization. The major features of this new period, which culminated in the French Revolution, was the breaking down of the last vestiges of medieval guild organization. In this early era of capitalistic enterprise, corporate organizations of any kind which limited production, created monopolies or prevented competition were seen as a major obstacle to the new spirit of freedom and free enterprise. The standing of the medieval man was conditioned by the standing of the corporate body to which he belonged. This was rapidly changing. Even before the French Revolution officially abolished medi-

eval-type corporations, their antiquated forms of production and fossilized structures of hierarchies were disintegrating. It was the individual who became an entity of existence in his own right; it was now the state which faced directly the individual. All historical and artificial barriers were broken down. The great eighteenth century Enlightenment stressed the importance of the individual and opposed the autocracy of the state, as well as that of corporations and corporate organization.

Both tendencies, singly and together, encouraged a vision of Jewish community organization as an antiquated and fossilized remnant of a hated past. This combined with the fact that the community was losing its utility as an instrument of government, made the community organization, certainly in the eyes of the outsiders, an unnecessary and superfluous institution. Strangely enough, the granting of civil rights to the Jews in the nineteenth century had created a new, community-hostile perspective.

Things would perhaps have taken a different turn, if it were not for the fact that community organizations were everywhere in a state of depression. Not that the tasks they performed were superfluous or that other agencies were now supplying services until now performed by the communities. Nothing of this kind happened. No foreign factor ever assured Jewish modes of life but the Jews themselves had to assure them. The community organization had everywhere the same sad features: rule of an oligarchy; exemption from taxation by state privileges of the wealthiest members of the community; increasing debts which one generation transmitted to its successor and which consequently made for unbearable burdens. This objective situation could not endear the institution. Additionally, ideological opposition, which originated in the great breath of freedom in the West, very often with the marching legions of revolutionary France, was reaching into Central and Eastern Europe. The *Haskala* movement, in all its shades and opinions, found the existing Kehila an easy target of attack and the most fertile ground for

the demand of reform. Soon autonomous Jewish developments, like the Hassidic movement reached the communities, whereas major changes in Jewish demography, the great waves of migration to the West, beginning as early as the sixteenth century with the influx of Sephardi Jews into Mostarabi or Ashkenazi centers, created problems of plurality in the until now homogeneous Jewish organizations.

Late eighteenth century trends became ever stronger in the nineteenth century. The new national states in the West, as well as the absolute or centralized states in Central and Eastern Europe tried to find a new kind of organization for their Jewries. Almost all arrived at a given time at the same conclusion which left to the community little more than religious duties, sometimes combined with that of recruiting contingents for the armies (as in Russia). But there were also other influences which eroded the Jewish communities. The newly gained freedoms created seemingly easy bridges from Judaism to non-Judaism. Education, that is non-Jewish education, one found (at least as to a certain level) outside the community. Moreover the new industrial and banking age not only opened new possibilities, despite anti-Semitism, but also created new types of economic relations between Jews, and non-Jews, which the community's *Rov* or *Dayyan* could not always decide according to the *Halacha*. Jews had to plead in non-Jewish courts, and the rabbinical courts were more and more confined to family relations. The Jew as a part of the external world was being torn from the community.

Thus during the whole of the nineteenth century the community was in a deep process of transformation. Much of its duties were now performed by the state, a part was performed under state supervision or inspiration by organizations, which one would rather call Organizations *for* the Jews than Jewish organizations. Such were often the *Land-sudenschaften* in Prussia and Central Europe. True that in some areas the Jew had to belong to a Jewish community and had to pay specific taxes. Later the obligation was abolished and

belonging to a community remained on a voluntary basis only.

A new system of organization was effectively introduced by Napoleon and approved at the meeting of the *Sanhedrin* in 1807. The basic idea was that already announced at the beginning of the Revolution: the Jews would abandon any claim to nationhood; as human beings they would enjoy civic rights, and it was only their specific religious needs which would remain the realm of Jewish bodies, like the newly created *Consistoire*. A Chief Rabbi and the religious services would be financed by the state, as it was done for other denominations. Thus, in a sense, the community aims were thrown back on the synagogue, the ritual bath and the cemetery. The old community with its own vital functions ceased to exist.

In some places, notably Holland and England, the influx of Jewish populations from outside, like the Portuguese Jews, created a problem (not really entirely new, because already known in medieval Egypt and Syria) of particular communities centered around their own synagogues, which preserved individual autonomies within the larger frame of the preexisting community. The experiment was successful and the Portuguese community could boast one of the best systems of Jewish education. Things happened the other way around in England, where the 18th century Ashkenazim immigration created a new community. But the Board of Deputies, created in 1760, tried to supply a roof organization for dealing with external Jewish affairs, whereas the local, ethnic groupings catered to the particular religious needs of the communities. It is here that we encounter the precursor of the most recent type of organization which would prevail among American Jews, namely that of pluralistic groupings.

In Eastern Europe, Poland under Russian rule and parts of Western Russia, the traditional Kehilot fought their last battles during the 19th and 20th centuries. The *Kahal* was officially abolished in Poland in 1822 and in Russia in 1844, but these acts along with the whole anti-Semitic state legislation had their

loopholes. Jews were not allowed any roof-organizations; the official program of "re-forming" the Jews meant Russification and finally conversion. The process called for direct interference in Jewish life, government appointment of Rabbanim *mita'am* (by the authority), rabbis by the grace of the government, and a close watch on Jewish education. The communities which disappeared *de jure*, continued to function *de facto*, when voluntary, charitable organizations took over the duties of Jewish education, social welfare and religious services. The Jews survived the Tsar and with the outbreak of the Russian revolution local Jewish federations were created only to be brutally destroyed by the Bolsheviks, who created the notorious Commissariat for Jewish affairs (only in the Crimea and Birobijan short-lived was *de jure* autonomy granted).

#### Between the Two World Wars

Between the two World Wars Jewish life was strongest in the newly created states of Poland, Lithuania and Rumania, where international treaties were supposed to grant to the Jewries the rights of minorities. Here local Jewish communities began to flourish again and roof organizations were created to represent Jewish interests on the state level. For some forty years Jewish history witnessed a revival of Jewish life, creativity, and activity. But activity meant, by definition, clashes of opinions. Political ideologies, representing the different trends of the Zionist movement, ideologies which represented often class interests; anti-Zionist ideologies of the leftist Bund; and the Orthodox Agudath Israel fought now for key positions to dominate the Kehila and its institutions. What was common to all those diverse parties and fractions, though for different reasons, was the safeguarding of the community autonomy. This whole great Jewish world went up in the flames of the Holocaust.

When European Jewry was living its last great chapter before the Holocaust and calamity, another Jewry, that across the

Atlantic was coming of age, creating the largest and most opulent Diaspora in the history of the nation, the Jewry of the United States of America. There is probably nothing more confusing for a European than to try to visualize this magnificent Jewry, which by now, for almost three generations has been carrying the great legacy of the nation and whose existence and help were instrumental in reconstructing the existence of European Jewry, as well as in the creation and development of the state of Israel. Neither the traditional Jewish community nor the *Consistoire* and its imitators, neither homogeneous local communities nor overall organization can adequately characterize the Jews of the USA. None of the foregoing and yet all of them together but in an infinite number of ever changing combinations are the most characteristic feature of the community or communities organization.

Clearly, the waves of immigration, the open American society, and what is called the "American way of life" were the three major factors which influenced the frame and the contents of Jewish community organization. The American Jewry, heterogeneous as it already was in the 1800s, was neither ready nor too willing to absorb the millions of newcomers. Such communities, as they existed, found it difficult to cope with the waves of newcomers. Moreover the economic, social and educational gap was too pronounced for the newcomers to find themselves at home with the established American Jew. The latter found refuge in the nuclei of their own places of origin, in the *Landsmanschaften*, their own synagogues and charitable institutions and even their own meat shops, which guaranteed their brand of *kashrut* (as a matter of fact, illusory only; in 1915 it was proved that 40% were not truly kosher despite the ritual supervisors, the *mashgihim*). The traditional notions of a common habitat and a homogeneous Kehila organization were not feasible in the new mammoth Jewish concentrations. From the beginning the pronounced differences of background were compounded by

old and new social outlooks, a variety of political ideologies, and, above all, the variety of religious trends and ideologies.

The general American slogan of pluralistic society led inexorably to the notion of pluralism in Jewish life and Jewish organization within the perimeters of cities or city-quarters. American ideals of individualism and independence penetrated Jewish life and Jewish local organizations were often compared to Protestant groupings of all denominations, which jealously guarded their autonomy in the frame of their particular aims and tasks. This made each synagogue or prayer-house the center of a particular segment of Jewish population, a community in its own right. Some synagogues developed swimming pools and other recreational activities, in addition to caring for Jewish education, welfare and social cohesion. Gradually, the recreational and welfare functions were taken over by separate agencies, whose activities and fund-raising began to be coordinated locally (in the form of Jewish Federations). In addition, many membership organizations were formed. Jewish community centers were created to cover the various needs of Jewish local life as well as of general Jewish interests. In addition, there developed local and national coordinated fund raising organizations for meeting local and overseas needs.

The magnificent outburst of institutions, each, theoretically at least, with its own specific tasks, often overlapping and competing, do cooperate when the need arises. Jewish individualism, with its stress on the standing and importance of the individual, found itself in unison with American individualism. But the sentiments of belonging and cohesion create a climate of public life which make for cooperation when Jewish interests are at stake. The creation of the State of Israel became in itself a major factor in the closing of ranks among the Jewish-American organizations. Despite early opposition and reticence, the individual and the group can identify themselves with the State as such or with

particular activities of the Israeli state and society.

The American scene is a unique experience in the development of Jewish community organizations. In its aims, structure, and leadership it opens new vistas for the future.

### Conclusion

Our survey of the three times millenary life of the Kehila now reaches the times in which we live. It ceases to be a history-relating evolution and *res gestae* and becomes history-in-the-making. As such it is out of the hands of the historian and becomes the subject matter of those who are heirs to one of the greatest

institutions in our history, those whose thinking and making are forging a new link in the chain of history.

Their knowledge of contemporary Kehilot in their respective countries and elsewhere, their knowledge of the new frame of existence of the Jewish people in which the Kehila plays and is destined to play a major role in the future, are the guarantee of the Kehila's permanence, robust growth and channelling into tasks and functions which correspond to the exigencies of the present. The foregoing history is partially a lesson to be learned but mainly the lighthouse from whose pinnacle one can look back at centuries gone by and to chart the roads of the future.