

Beyond the east-west divide: rethinking the narrative of the Jews' political status in Europe, 1600–1750

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Abstract The enduring cliché of the east-west divide obscures the nature of the Jews' changing political status in Europe: the period 1600–1750 cannot be described using the binary of a progressive “West” and a backward “east.” Rather, Jews in Western Europe developed a new political status of “civic parity” (Holland, England) or “corporate parity” (southern France), while Jews in Eastern Europe, especially in the private towns of magnate estates, similarly acquired a new status of “corporate parity” with Christian burghers. It was in Central Europe that Jews in this period lagged behind: while they gained a form of juridical standing in the Holy Roman Empire, their privileges were largely gained as individuals or collections of individuals. In terms of political status, the period is marked by a tripartite division of progressive west and a progressive east contrasted with a backward Central Europe.

The east-west divide is one of the enduring clichés of modern Jewish historical scholarship. While the differences between Jews in Eastern and Western Europe were apparent from at least the seventeenth century—when the migratory flow reversed to east to west—the division as an ideologically charged shorthand for an obtrusive feature of European Jewish life only became prevalent in the course of the nineteenth century and especially at the century's end.¹ It was essential to the self-understanding of the various and overlapping forms of Jewish nationalism whose adherents used it with such insistent, indeed monotonous regularity that it became virtual second nature. It has continued to be used by Jewish historians, sometimes trenchantly, sometimes, and regrettably far more often, as an unduly simple or easy explanation for what were in fact complex historical phenomena.²

The purpose of this paper is to show that the prevalence of the binary category, and the kinds of explanations to which it leads, has increasingly become less help than hindrance in trying to rethink key issues in modern Jewish history. In fact, in respect to the concept of the Jews' legal status or, put most broadly, their privileges in corporate society or their rights in civil society, employing the east-west divide is not just inefficacious but thoroughly obfuscatory.

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The east-west divide obscures the complexity of the Jews' legal status because it posits a simple, unbridgeable dichotomy of emancipation in the west and a lack of emancipation in the east, and in addition, that emancipation migrated from the progressive west to the retrograde or backward east.³ Recent historians have begun to chip away at this seemingly irreducible binary by showing the specific ways in which Jews in Poland and Russia engaged in political activity aimed to promote emancipation as well as benefitting from forms of emancipation in the nineteenth century.⁴ Yet the dichotomy is so potent and pervasive that it also tends to cast a retroactive fog of woe over the situation of the Jews in pre-partition Eastern Europe, namely, in the last centuries of the Polish-Lithuanian Commonwealth. The lack of emancipation or rights in the nineteenth and twentieth century, combined with exaggerated notions of anomalous treatment if not active government persecution throughout the Czarist period, is read back into the seventeenth and eighteenth centuries as if the situation of the Jews in Eastern Europe had been forever and unchangingly lamentable, constituting a tenaciously unaltered version of the "lachrymose theory" of Jewish history.⁵ Here again, contemporary historians have begun to puncture these seemingly inviolable verities, yet there is still a need to draw out the implications and articulate the conclusions, however provisionally.

My argument is that if we look across the geographical boundaries of Europe in the seventeenth and eighteenth centuries by examining the Jews' political status the east-west divide not just dissolves but appears to be fundamentally misleading. The Jews' privileges in the Polish-Lithuanian commonwealth put them in at least as fortunate a position, if not a better one, than their co-religionists in such Western Europe countries as Italy, Holland and England, and that on the whole they probably enjoyed more extensive privileges than most Jews residing in the myriad polities of the Holy Roman Empire. Moreover, the number of Jews enjoying such privileges in Eastern Europe was enormous in comparison with the small communities in the west. If we think about the long process of emancipation as including forms of parity in corporate society in addition to equality in civil society, then the Jews of the Polish-Lithuanian Commonwealth were integrally involved in it, and were in fact perhaps in pioneering positions until the partitions of 1790s. The developments that historians have tended to treat as "forerunners" or "harbingers" of emancipation exclusively in the West had unmistakable counterparts or equivalents in the East.⁶

Not surprisingly, observant travelers and chroniclers pointed out this situation. Antonio Maria Gratiani, a papal diplomat in Poland in 1595, unexpectedly found himself reporting that:

In these principalities one still comes upon masses of Jews who are not disdained as much as in some other lands. They do not

live here under pitiful conditions and do not engage in lowly pursuits. . . . Rather, they possess land, engage in commerce, and devote themselves to study, especially medicine and astrology. . . . They possess considerable wealth and they are not only among the respectable citizens, but occasionally even dominate them. They wear no special marks to distinguish them from Christians and are even permitted to wear the sword and to go about armed. In general they enjoy equal rights.⁷

The famous English traveler William Coxe (1747–1828) was even more provocative in drawing comparisons:

this people date their introduction into Poland about the time of Kazimierz the Great, and . . . they enjoy privileges which they scarcely possess in any other country except England and Holland.⁸

That in England and Holland Jews began to enjoy a new status in the seventeenth and eighteenth centuries was at the time, and continues to be, well known, and thus it is worth ascertaining to what extent Gratiani's observation and Coxe's comparison were accurate. These developments in the north Atlantic and its emerging economic network derived from the status of trading communities governed by merchant charters and were inextricably linked to the older Mediterranean economy, especially Italy's, since it was in the Italian peninsula and especially in some of its commercial ports that the process began.

The new status of Jews emerged from a confluence of factors. The expulsion from Spain led to the development of a Sephardi merchant network across the Mediterranean: unlike their co-religionists elsewhere who had been forced into pawnbroking and usury, Jews had vigorously pursued commerce in Spain, and thus had the advantage of possessing both capital and knowledge of markets, and after the expulsion continued to do so. Moreover, the rise of Ottoman power (fall of Constantinople, 1453; fall of Syria and Egypt, 1516–1517) benefited them in numerous ways. The Ottomans, unlike the Byzantine-Mamlukes, permitted Jews to engage in trade and may well have encouraged them to turn to it by forcefully relocating large numbers of them from places like the Balkans, where many had been artisans, to urban centers such as Istanbul, where it was difficult to continue as artisans yet easier to find a commercial niche. At the same time the newly empowered Ottoman Empire made it increasingly difficult for Venetian merchants to maintain the lucrative Levant trade; indeed, after the Ottoman-Venetian war of 1463–1479 the Sultan insisted on a reciprocal trade agreement.⁹ The Ottomans imposed more stringent trade regulations than had the former

Byzantine-Mamluke rulers, including ending the Venetian monopoly and requiring customs duties from foreigners, which also encouraged indigenous merchants, including Jews, to enter trade. The Papal State in Ancona and the Grand Duchy of Tuscany in Livorno took decisive steps to participate in that trade in order to reap the financial benefits. In both cases the answer was to grant Jews who possessed first-hand knowledge of Ottoman and European markets (as well as Greeks and Armenians), trading and residential privileges. *Raison d'état* gradually came to trump religious considerations, though not everywhere and at all times.¹⁰

The turning point in this development came in the Papal enclave of Ancona, first when authorities allowed Greek, Muslim and Jewish merchants to trade in the city (1514 and 1518) and then when they specifically authorized Jews to reside in the city and carry on trade with the Levant while also granting generous concessions (1544). In 1547 Ancona, with Pope Paul III's authorization, offered New Christians immunity as well, although less than a decade later the authorities rescinded the order and burned some dozens of Jews at the stake (1555). Nevertheless, the Pope's pioneering precedent retained its validity and allure, and Ferrara and Florence, for example, adopted it. Venice cautiously followed, first by allowing "Levantine" merchants to reside in the city temporarily (at first four months, later two years) and by building a new ghetto to house them (1541), and then inventing the new category of "Ponentine" merchants in order to allow former *conversos* to trade in Venice, while vouchsafing them a ten year charter and immunity from prosecution for religious infractions committed elsewhere (1589). Livorno's charter ("la Livornina," 1593), which was based on Venice's yet was more generous, granting, "...all of the privileges, rights and favors which Our merchants, Florentine and Pisan citizens and Christians, enjoy" namely, allowing Jews to engage in all trades, including retail; exempting them from wearing any special clothing or sign; and permitting the purchase of real estate, became a model for other rulers, itself remaining in effect throughout the subsequent history of the Grand Duchy (to 1860).¹¹

These precedents, and the trade network, migrated northward to the new Atlantic and new world colonial economy, shaping Jewish settlements in such places as Bordeaux, Antwerp, Hamburg and Amsterdam. As Jonathan Israel has put it:

the Ponentine-Levantine milieu created in Venice in the 1570s and 1580s was pivotal in transforming the north-west European Portuguese New Christian diaspora into an organized Sephardic Jewish trans-Atlantic as well as trans-European and trans-Near Eastern network.¹²

Jews admitted to Bordeaux (1550), Antwerp (1564) and Amsterdam (1598) came under the guise of Portuguese Christians (how transparent the ruse was,

or whether the authorities simply preferred to turn a blind eye, varied from place to place), and were given the status of a “merchant nation.”

In Amsterdam they were permitted to acquire citizenship if they so desired. In time they emerged publicly as Jews and consolidated their privileges, including settlement, trade, immunity from prosecution for past crimes and freedom of conscience. Freedom of worship was attained *de facto* and not *de jure*, and was restricted at first (1614), the community having to resort to the legal fiction of the synagogue being “owned” by a Catholic (ironically, Catholics did not gain the privilege of public worship for almost another two centuries; their clandestine churches were legally owned by willing Protestants). In Amsterdam, Jews were admitted to “minor citizenship” (1654, 1657): they were excluded from retail trade and most crafts, public office and the ability to pass their privilege to their children. They were effectively “permanent first-generation immigrants” whose burgher status was less than that of the majority Calvinists.¹³ At the same time, they were neither subject to special state supervision and taxes nor to residential restrictions, the state having decided not to issue a Jewry law and instead to delegate responsibility to the municipalities (1619).¹⁴ In other words, they enjoyed extensive privileges that were inferior to those of Dutch Calvinist burghers but equal or superior to those of Catholics and some other dissenters.

The United Provinces’ vaunted toleration was, to be sure, not the result of principled policy but of a pragmatic standoff between the political authorities who wished to maintain the parlous civil peace of a multi-religious society that was home to numerous émigrés and dissidents, and the clergy, both Calvinist and Catholic, who, had they been able, would have engaged in intolerance and persecution. Amsterdam’s Jews knew their position was as precarious as it was privileged—the *Mahamad* attempted to impose various forms of discretion, in this respect as in others exercising the autocratic powers of a merchant community over its members—since other provinces in the Republic either prohibited Jews altogether or restricted their numbers.¹⁵

The readmission of the Jews to England yielded extensive privileges but no formal edict or Jewry law. Amsterdam’s Jews lobbied for access to England in order to find additional outlets for a growing Sephardi immigrant population but also to be able to circumvent England’s Navigation Acts that now challenged Dutch mercantile supremacy: residence in London would give Sephardi merchants access to English shipping, markets and colonial goods, and especially guarantee the flow of sugar central to the entire Sephardi trade network.¹⁶ The Whitehall conference (December 1655) that Cromwell convened to consider the issue adjourned without reaching a decision, or perhaps precisely to avoid a negative decision, with the result that wealthy Jewish merchants were allowed to settle on a *de facto* basis.¹⁷ From the outset, then, the tiny Jewish population did not live under a charter or special laws

but was organized as a voluntary synagogue-based community, whose most prominent members were endenized while the native-born enjoyed basic privileges of commerce, residence and property ownership.¹⁸

In contrast to the newly settled Jews of the North Atlantic ports, Jews in Poland were by and large not new immigrants, although some Jews did arrive from the Iberian peninsula after the expulsion and others from parts of Central Europe, but rather internal migrants. Following the edict of 1539 that gave magnates legal and fiscal jurisdiction over the Jews on their estates, combined with the transfer of the Ukraine to the Polish crown as part of the Union of Lublin creating the Polish-Lithuanian Commonwealth (1569), Jews in the seventeenth and eighteenth centuries began to move eastward to populate the new magnates estates, and especially the private towns. It was these private towns, outside the established guild system, that allowed Jews to practice a wide array of crafts as well as to carry on numerous forms of commerce, including the leasing system (*arendar*) by which they controlled monopolies on the distillation and sale of liquor or the natural products of an estate. By the eighteenth century the majority of Jews in Poland lived on such magnate estates in private towns.¹⁹

The Jews in these magnate owned private towns negotiated privileges on a local basis. Community privileges, in contrast to the royal privileges of the preceding era, were supremely important because of the decentralization of power in what was, with the decline of royal power, a growing “magnate oligarchy” or “Republic of Nobles.” The Council of Four Lands, which emerged (1580), in response to the imposition of a capitation tax that was soon translated into a global tax of a fixed sum, and functioned as a sort of early modern parliament (a “bicameral institution with a (lay) parliament and a (rabbinical) tribunal”), did not possess privileges of its own. Rather, it relied on the powers of individual community charters. The Council also had to accept that many Jews were exempt from its jurisdiction, especially those granted special titles and privileges (“factor,” “serwitor,” sekretarz,) in recognition of service to the magnates.²⁰

In general community charters granted Jews a new legal status: they enjoyed the same civil privileges as local burghers under Magdeburg law, that is, with respect to trade and economy, residence and property rights. They also had equal obligations, such as participating in the night watch and cleaning municipal areas. They did not enjoy similar political privileges, since in most cases they were not allowed to participate in municipal government. There were significant exceptions, however, in which Jews participated through the community (*kahal*), electing a specified number of representatives.²¹ That Jews were, then, in respect to civil, as distinct from political, privileges equal to other burghers meant that they came to constitute a sort of second burgher estate that functioned in relationship to and in significant ways competed

with, yet in general paralleled, that of the Polish burghers.²² The Jews' privileges also had similarities to other ethnic commercial groups in Poland such as the Scots, the Italians and the Armenians, with whom there existed an "ethnic division of commodities."²³ This new civil status patently developed from the mutual self-interest, or convergence of interests, of magnates and Jews: the magnates gave the Jews new scope for economic activity and then derived significant revenues from it.

As our two travelers observed, a new status had emerged in the east and in the west. In (particular locales in) Italy and on the magnate estates and towns of Poland, Jews benefited from parity or near-parity in privileges, enacted in charters, which may be designated "corporate parity." In Holland they enjoyed a status largely of *de jure* parity in municipal law, and in England of *de facto* parity, both of which may be designated "civic parity" (as these societies no longer had clearly defined legal corporations).²⁴ In each case the new status derived from a particular authority in a specific historical configuration: in Italy and Holland it occurred at the municipal level, in England it was national, whereas in Poland it was a function of the magnates on their estates. The one geographical region in which neither "corporate parity" nor "civic parity" appears to have emerged is that of Central Europe of the Holy Roman Empire. There Jews were, as recent research has shown, integrated into the legal system of which they made extensive use. They took thousand of cases to the courts of the Holy Roman Empire and indeed sometimes even succeeded in overturning orders of expulsion. They enjoyed a form of juridical parity.²⁵ At the same time, the emerging absolutist states granted Jews privileges largely as individuals, or collections of individuals, rather than as communities, and integrated them into the state mechanism under special ordinances and edicts, imposing a hierarchy in which most Jews were in inferior and precarious positions and only the few in favorable ones.²⁶

If we step back and reflect on the geography of the Jews' legal status in the period 1600–1750, there was no east-west divide. Rather, the few Jews in Western Europe and a significant portion of the many more in Eastern Europe benefited from the new statuses of corporate or civic parity. In contrast, the Jews in the Central Europe of the Holy Roman Empire did not. For the period 1600–1750 we should discard the binary notion of a progressive west and a backward east, and contemplate the possibility of a tripartite division of a progressive west and east with a backward middle in the Holy Roman Empire in Central Europe.

Notes

1. Moses Shulvass, *From East to West: the Westward Migration of Jews from Eastern Europe during the Seventeenth and Eighteenth Centuries* (Detroit, 1971). Steven Aschheim,

- Brothers and Strangers: The East European Jew in German and German-Jewish Consciousness, 1800–1923 (Madison, 1982); David A. Brenner, *Marketing Identities: the invention of Jewish ethnicity in Ost und West* (Detroit, 1998).
2. For notably trenchant use of the east-west divide see Ezra Mendelsohn, *The Jews of East Central Europe between the Wars* (Bloomington, 1983) and *On Modern Jewish Politics* (New York, 1993).
 3. Gershon Hundert, *Jews in Poland-Lithuania in the Eighteenth Century: A Genealogy of Modernity* (Berkeley, 2004) 3, 233–239.
 4. Artur Eisenbach, *The Emancipation of the Jews in Poland, 1780–1870* (Oxford, 1991); Benjamin Nathans, *Beyond the Pale: The Jewish Encounter with Late Imperial Russia* (Berkeley, 2002); I.M. Aronson, “The Prospects for the Emancipation of Russian Jewry during the 1880s,” *Slavonic and East European Review* 55 (1977) no. 3, 348–369; Christoph Gassenschmidt, *Jewish Liberal Politics in Tsarist Russia, 1900–14* (New York, 1995). For a synthesis of the older scholarship see Manfred Hildermeier, “Die jüdische Frage im Zarenreich,” *Jahrbücher für Geschichte Osteuropas* 32 (1984) 3, 321–357.
 5. Michael Stanislawski, “Eastern European Jewry in the Modern Period: 1750–1939,” in Martin Goodman ed., *Oxford Handbook of Jewish Studies* (Oxford, 2002) 396–411; Salo Baron, “Ghetto and Emancipation,” *Menorah Journal* 14 (1928) no. 6, 515–526; Nancy Sinkoff, “(What Was Once) the World’s Largest Jewish Community,” *The Jewish Quarterly Review* 97 (Fall 2007) no. 4, 647–659.
 6. Raphael Mahler, *Jewish Emancipation: A Selection of Documents* (New York, 1944) 9–18; Paul Mendes-Flohr and Jehuda Reinharz eds., *The Jew in the Modern World: A Documentary History* 2nd ed. (New York, 1995) 8–53. Kenneth Stow has made the provocative argument that the changes in the Jews’ legal status, based on the example of Rome and especially the issue of marriage, derive from the application of “*ius commune*.” He detects an “evolutionary emancipation process” in which the Jews were incorporated into the state mechanism as the Papal state reformed itself to create a more direct relationship with its subjects. This process could be detrimental as well as beneficial to the Jews. In the case of marriage, the state overrode Halakhah and deprived Jewish women of legal rights e.g., possession of property, they had previously enjoyed. The application of “*ius commune*” also played a role in state building elsewhere in Europe: in relationship to marriage Stow cites the examples of France and the Habsburg monarchy. See his “Jewish Pre-Emancipation: *Ius Commune*, the Roman Community and Marriage in the Early Modern Papal State,” in Kenneth Stow, *Jewish Life in Early Modern Rome* (Aldershot, 2007), Chap. XVIII.
 7. Antonio Maria Gratiani, *La Vie du cardinal Jean-François Commendon* trs. Fléchier (Paris, 1614), quoted in Hundert, *Jews in Poland-Lithuania in the Eighteenth Century*, 7.
 8. W. Coxe, *Travels into Poland, Sweden and Denmark* 5 vols. (Dublin, 1784) 3: 163, cited in Jacob Goldberg, “The privileges granted to Jewish communities of the Polish Commonwealth as a stabilizing factor in Jewish support,” in Chimen Abramsky, Maciej Jachimczyk and Antony Polonsky eds., *The Jews in Poland* (Oxford, 1986) 54.
 9. Benjamin Arbel, “Jews in International Trade: The Emergence of the Levantines and Ponenines,” in Robert C. Davis and Benjamin Ravid eds., *The Jews of Early Modern Venice* (Baltimore, 2001) 76.
 10. Bernard Cooperman, “Venetian Policy Towards Levantine Jews in Its Broader Italian Context,” in G. Cozzi ed., *Gli Ebrei e Venezia, secoli XIV–XVIII* (Milan, 1987) 65–84; Jonathan Israel, *Diasporas within a Diaspora: Jews, Crypto-Jews and the World Maritime Empires (1540–1740)* (Leiden, 2002) 3, 8–9.
 11. Quotation from “La Livornina,” article #29. I am grateful to Professor Bernard Cooperman for permitting me to use his translation. Benjamin Ravid, “A Tale of Three Cities and

- their *Raison d'État*: Ancona, Venice Livorno and the Competition for Jewish Merchants in the Sixteenth Century,” in Alisa Meyyhas Ginio ed., *Jews, Christians and Muslims in the Mediterranean World after 1492* (London, 1992) 138–162.
12. Jonathan Israel, *Diasporas within a Diaspora*, 93. For a lucid overview of the Western Sephardi diaspora see Yosef Kaplan, *Ha-Pezura ha-Sefardit ha-Maaravit* (Tel Aviv, 1994).
 13. Daniel M. Swetschinski, *Reluctant Cosmopolitans: The Portuguese Jews of Seventeenth-Century Amsterdam* (London, 2000) 25. On Catholics in Amsterdam see Benjamin J. Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, MA, 2007) 172–174, 180–182.
 14. Bernard D. Cooperman, “Amsterdam from an International Perspective: Tolerance and Kehillah in the Portuguese Diaspora,” in Yosef Kaplan ed., *The Dutch Intersection: The Jews and the Netherlands in Modern History* (Leiden, 2008) 1–18; Miriam Bodian, *Hebrews of the Portuguese Nation: Conversos and Community in Early Modern Amsterdam* (Bloomington, 1997) 60–61; Arent H. Huussen, “The Legal Position of the Jews in the Dutch Republic C. 1590–1796,” in Jonathan Israel and Reinier Salverda eds. *Dutch Jewry: Its History and Secular Culture (1500–2000)* (Leiden, 2002) 25–41; Swetschinski, *Reluctant Cosmopolitans*, 8–25.
 15. Joris Van Eijnatten, *Liberty and Concord in the United Provinces: Religious Toleration and the Public in the Eighteenth-Century Netherlands* (Leiden, 2003); Bodian, *Hebrews of the Portuguese Nation*, 57–62; Cooperman, “Amsterdam from an International Perspective: Tolerance and Kehillah in the Portuguese Diaspora”; Huussen, “The Legal Position of the Jews in the Dutch Republic C. 1590–1796,” 39–40.
 16. Jonathan Israel, *Diasporas within a Diaspora*, 392–396. The number of immigrants swelled because of the loss of Brazil, the Venetian war with the Ottomans over Crete, and the Spanish crown’s suspension of payments on debts (1647).
 17. David S. Katz, *The Jews in the History of England, 1485–1850* (Oxford, 1994) 119–140.
 18. Katz, *The Jews in the History of England*, 242; Todd Endelman, *The Jews of Georgian England, 1714–1830* (Philadelphia, 1979) 20–25.
 19. Hundert, *Jews in Poland-Lithuania in the Eighteenth Century*, 14, 80, 103–104.
 20. Hundert, “On the Jewish Community in Poland during the Seventeenth Century,” 354.
 21. Goldberg, “The privileges granted to Jewish communities of the Polish Commonwealth as a stabilizing factor in Jewish support,” 33–36, 43–44. For an example of Jews participating in municipal elections via the *kahal*, see Gershon Hundert, *Jews in a Polish Private Town: The Case of Opatów in the Eighteenth Century* (Baltimore, 1992) 135.
 22. Adam Teller, “Telling the Difference: Some Comparative Perspectives on the Jews’ Legal Status in the Polish-Lithuanian Commonwealth and the Holy Roman Empire,” *Polin* 22 (2009) 109–141; Hundert, *Jews in a Polish Private Town*, 135; Moshe Rosman, *The Lords’ Jews: Magnate-Jewish Relations in the Polish-Lithuanian Commonwealth during the Eighteenth Century* (Cambridge 1990) 74.
 23. Gershon Hundert, “On the Jewish Community in Poland during the Seventeenth Century: Some Comparative Perspectives,” *Revue des Études Juives* 142 (1983) 362–372; *idem.*, *Jews in a Polish Private Town*, 68.
 24. I introduce these categories in hopes of defining more precisely variations in the Jews’ statuses in the early modern period. Lois Dubin has made a significant contribution with her concept of “civil inclusion,” which definitely illuminates her examples, yet they are drawn from a more circumscribed geographical area. See *The Port Jews of Habsburg Trieste: Absolutist Politics and Enlightenment Culture* (Stanford, 1999); “Between Toleration and ‘Equalities’ – Jewish Status and Community in Pre-Revolutionary Europe,” *Jahrbuch des Simon-Dubnow-Instituts* 1 (2002) 219–234; and “Subjects into Citizens: Jewish Auton-

- omy and Inclusion in Early Modern Livorno and Trieste,” *Jahrbuch des Simon-Dubnow-Instituts* 5 (2006) 51–81.
25. Stefan Ehrenpreis, Andreas Gotzmann, Stephan Wendehorst, “Von den Rechtsnormen zur Rechtspraxis: Ein neuer Zugang zur Rechtsgeschichte der Juden in Heiligen Römischen Reich? Eine Projektbeschreibung,” *Aschkenas* 11 (2001) 39–58; Stefan Ehrenpreis, Andreas Gotzmann, Stephan Wendehorst, “Probing the Legal History of the Jews in the Holy Roman Empire—Norms and Their Application,” *Jahrbuch des Simon-Dubnow-Instituts* 11 (2003) 409–486.
26. Teller, “Telling the Difference: Some Comparative Perspectives on the Jews’ Legal Status in the Polish-Lithuanian Commonwealth and the Holy Roman Empire”; Mordechai Breuer, “The Early Modern Period,” in Michael A. Meyer ed., *German-Jewish History in Modern Times* 4 vols. (New York, 1996) 1: 79–260; Friedrich Battenberg, *Die Juden in Deutschland vom 16. bis zum Ende des 18. Jahrhunderts* (Munich, 2001).

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