Ritual and Modernity: Rethinking Jewish Emancipation

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In January 1790 and September 1791, in two separate legislative acts, the National Assembly voted to admit the Sephardic and Ashkenazic Jews of France to citizenship. As a result, French Jewry became the first Jewish population in Europe to achieve this auspicious milestone. Overwhelmingly, historical writing on western and central European Jewry has tended to focus on the process leading to emancipation, on what was expected of Jews in order to gain acceptance in their host countries, on the resistance they frequently encountered, and on the ease or difficulty they experienced in their effort to integrate into the society around them. Selected aspects of this extremely complex social, political and cultural process have been taken to epitomize the modern Jewish experience *in toto*, insofar as they seem to confirm the durability of antisemitism and assimilation, or explain the emergence of Jewish nationalism – to mention several of the more powerful forces affecting Jewish life today. The Jewish fascination with general culture has, likewise, attracted the unending attention and considerable talents of historians, philosophers, and students of literature.

Against this dominant scholarly trend, I would submit that no serious treatment of modernity, least of all Jewish emancipation, can afford to ignore the cultural history of the Jews during the *ancien régime*. It hardly needs to be stated that any discussion of ruptures and continuities in the cultural history of emancipated Jewry demands a clear understanding of where things stood before the onset of the emancipation process. In the case of France, several significant paradigms emerged within Jewish communities during the late seventeenth and eighteenth centuries and left lasting impressions on the process of modernization as it unfolded in the century following 1789. These included the distinction between rural and urban communities, the strain between local and regional identities, the formation of a strong lay leadership, heightened tensions between popular and elite religion, the creation of divergent social contexts for religious and cultural change, tensions between popular and elite religion, and the socio-cultural interaction between Jews and non-Jews. In each of these areas Metz and Alsace epitomized two distinct frameworks in which the encounter between tradition and modernity found expression. They also prefigured the two contrasting social contexts – urban and rural -- that influenced how French Jews would interpret the diverse meanings and implications of emancipation.[1]

Invariably, the overwhelming emphasis on the status and image of the Jew in general society has come at the expense of a more thorough investigation of Jewish culture. This is only partially the result of the fragmentary nature of the surviving documentation dating from the pre-revolutionary era. More striking is the failure of historians to examine patterns of religious behavior and *mentalité*, as reflected in communal registers and legislation,

published and unpublished rabbinic scholarship, and compendia of liturgy and ritual. As a result, the historical portrait of French Jewry is markedly deficient. In the pages that follow, I will highlight two important trends that are crucial for developing a deeper understanding of the modernization process in France: the significance of new communal controls and the changing role of ritual.

Social and Religious Controls: Incipient Secularization

Clear evidence of change may be observed in the rise of a lay leadership whose power gradually eclipsed that of the rabbinate, even in religious matters. This process began to unfold in the second half of the seventeenth century in central and western Europe, and found expression in the intensification of efforts on the part of lay communal leaders to regulate public morality and to take control of communal government and the judiciary. Such developments are consistent with the general theory advanced by Peter Burke that after 1650 the struggle to suppress deviant behavior passed from ecclesiastical to lay powers. Lay leaders sought to delineate the boundaries between the sacred and the profane and to keep the two domains distinct, in order to prevent the total breakdown of traditional society. The enactment of rigorous guidelines for Jewish religious and social behavior addressed as well the far-reaching demographic and socio-economic changes of the period.

Communal ordinances aiming to restrict the display of extravagant items while also limiting the size and expense of religious celebrations were routinely enacted across the continent in the early modern period. Like medieval sumptuary legislation, they evinced both a commitment to the wider societal struggle to control extravagance and the fear among Jewish communal leaders that ostentation might arouse the envy and resentment of their gentile neighbors.[2] The thrust of the early modern sumptuary laws was entirely different. In Metz, communal regulations dating from the late seventeenth century reflect the efforts of an increasingly powerful urban laity to assert its authority over a declining rabbinate. Sumptuary laws were used as a tool to freeze the existing hierarchy and to exclude from the communal power structure a younger generation whose wealth derived from new commercial opportunities. The goal of the Metz legislation was to maintain the internal equilibrium threatened by a steadily growing population, a widening gap between the generations, the erosion of sexual mores, and the blurring of class distinctions. In general, while sumptuary laws have been traditionally regarded as nothing more than vestigial medieval restraints on luxury, there is ample reason to view them as characteristic of the ever-increasing regulation of public behavior in the early modern period.

Acknowledging that certain cultural changes were an inevitable consequence of the expanding mercantile economy, lay leaders endeavored to limit conspicuous consumption, curb the insubordination of youth, and legislate standards of moral and religious behavior. In Alsace, communal ordinances ratified by the provincial assemblies established a quarter-century before the Revolution reveal a different set of concerns pertaining, in part, to the undesirable influence of village culture and the potentially harmful impact of modernity on

moral and religious life; neither consumption nor class divisions were mentioned. The Metz legislation also suggests that the intermingling of Jews and gentiles had become fairly commonplace -- certainly more than is normally assumed – a full century before the Revolution. There is no sign that this was as distressing to communal leaders. In Alsace, however, rabbinic authority remained largely intact and community members were overwhelmingly compliant with the dictates of the Jewish tradition. Comparisons between the urban and the rural areas suggest a clear correlation between economic condition and religious change.

In response to these new challenges, the communal lay leadership broadened its legislative prerogative to include the area of public morality. Lay regulation of consumption represented a clear challenge to the rabbinate and to the authority of Halakhah insofar as these initiatives reflected a new concern for social order in the public sphere that did not drawn on the rhetoric of the Jewish religious tradition.[3] Other equally prominent concerns focused on the instability of youth, the blurring of hierarchies of social status, and a decline in moral and religious standards. Laws governing social and religious behavior in the communities of Bordeaux and Bayonne were a rarity, evidently because the idea of a restricted role for religion in everyday life, like the tendency to downplay overt elements of social distinctiveness, were an outgrowth of the *converso* experience. The high degree of acculturation achieved by the Sephardic population, particularly in dress and language, was sufficient to render such laws pointless.[4] Typical of the restrictions issued in many European *kehillot*, the Metz legislation bore striking similarity to the edicts enacted by the general authorities, such as the royal declaration pronounced at Saint-Germain in 1633. Enacted as a response to the dire economic conditions of the day, it was exploited as an instrument of political power and reflected the desire of leaders to preserve the hierarchies of social status, especially in a period of rapid population growth.[5]

According to Alan Hunt, sumptuary legislation was issued in response to three distinguishing features of modernity: urbanization, the emergence of class, and new constructions of gender. The increasing density of social life in the city demanded strategies enabling urban dwellers to identify strangers and to reinforce the hierarchical divisions of society.[6] The use of luxury items by members of the lower social strata would be disruptive because this would contribute to the blurring of recognizable markers of social rank. According to this view, consumption ought to correspond to rank, not means. Meantime, the transition from agrarianism to market economies characterized by international commerce, manufacturing, and free enterprise, threatened the status quo, particularly as communities became increasingly receptive to cultural influences from the outside. In an era of dynamic social and cultural change, sumptuary law was exploited as an instrument of political power enabling leaders to preserve the hierarchies of social status.[7]

Communal leaders viewed the reinforcement of social divisions -- whether based on age, gender, wealth, or position -- as a central objective of the sumptuary legislation. The sumptuary laws of the 1690s aimed to enhance the prestige of the community's elite

members by exempting communal leaders, as well as their wives, sons, and unmarried daughters, from most of the restrictions on jewelry and clothing. From the beginning of the eighteenth century regulations were especially protective of the status of leaders, and reserved special synagogue honors for them; eighty years later, in 1769, the community introduced even stronger measures, including provisions for synagogue protocol that were designed to underline the prominence of community leaders, and a more explicit correlation between financial status and the imposing of restrictions on jewelry and clothing was included as well. Measures aiming to differentiate strongly between the superior status of older, married men, and the inferior status of younger, unmarried men were also added. The new emphases of the 1769 *takkanah* were consistent with the general tendency to stabilize prevailing hierarchies and social divisions most strenuously in periods of social dislocation. This was the primary purpose of the sumptuary laws in the mid-eighteenth century and far outweighed the purported moral concerns that were generally set aside in the case of the wealthy members of the community. Clearly, it was not extravagance per se that was deemed to be reprehensible, but the untoward display of ostentation that posed a threat both to Jewish-gentile relations and to the internal social order.[8]

Among the most important concerns facing communities in northeastern France, as elsewhere, was the age-old question of how to control the behavior of children and young adults. Misgivings about the instability of youth served as the impulse for several different initiatives.[9] The Metz *kehillah* pursued the matter first within the framework of formal education in 1690, the year it embarked on its sumptuary regulations. Comparable to the initiative undertaken in sixteenth-century Avignon,[10] Metz leaders enacted legislation making elementary education compulsory and regulating the hours of instruction, the duties required of teachers, and their salaries. This was part of an effort to extend communal authority over institutions that hitherto had been either independent or semi-independent. All fathers were to provide their children through the age of fourteen with tutors, under the pain of banishment. Children of the poor were to be taught at the community's expense and requests for assistance would be honored without conducting the customary investigation into the financial status of the applicants. In addition, the Metz laws required young men between the ages of fourteen and eighteen to study at least one hour per day. The detailed *takkanot* reveal the seriousness with which education was approached and illustrate how the communal dimension was present in the overall conception of the school, in the testing procedures, and especially in the penalties for non-compliance with the regulations. These penalties, including the forfeiture of a son's right of residence and the subjection to monetary fines, show that the provisions of the compulsory schooling program were not limited to the educational domain, but were interwoven with issues of social standing, personal status, and legal rights.[11]

These new policies went hand in hand with an increased emphasis on marriage as a marker of status in the community by the mid-eighteenth century. A sharp distinction between the standing of the unmarried and the married, and between younger and more

established couples, is evident in the 1769 regulations governing eligibility for communal offices, the distribution of synagogue honors, commercial freedom, and dress.[12] In the commercial realm as well, the *takkanot* distinguished sharply between boys, bachelors, younger married and older married men. Boys under fifteen years of age were prohibited from engaging in commerce in the community; if a boy violated this restriction before reaching the age of thirteen, he would be prevented from reading the Torah publicly on the occasion of his *bar mitzvah*, and any subsequent failure to respect this law would be subject to a fine. An unmarried man was expected to yield to a householder (i.e. a married man) if the two were selling their wares at the same house.[13] Furthermore, the 1769 *takkanot* upheld earlier legislation (of 1728) that prohibited commercial dealings with either unmarried men or householders in their first two years of marriage, insisting that the provision was to be observed in full force, though with certain exceptions.[14] In this way the community sought to protect the standing of householders against competition posed by individuals who were not yet established in the community. Insofar as the phrasing of other restrictions suggests that these goals were rarely achieved, however, the community sought to control rather than curb the dealings of the younger, less established residents. Any unmarried man conducting commerce in Metz, in the province of Lorraine, or in any province of France, was required to pay to the inspectors ten percent of his profits.[15] Furthermore, no unmarried man, whether in possession of the right of domicile or not, could gain authorization to slaughter animals unless he maintained a business association (as a butcher) with a householder. The lone exceptions to this rule were orphans, who were authorized to perform ritual slaughtering while still unmarried.[16] While the motivation for these regulations was clearly economic, they additionally reflect ongoing efforts to preserve the social hierarchies of age and marital status.

In its approach to youth and class, the Metz *takkanot* of 1769 were more thoroughgoing than earlier legislative measures. Controlling the behavior of youth, a recurrent theme in eighteenth-century legislation across the continent became an increasingly formidable task as the century progressed. Following the establishment of a central elementary school in 1751, [17] reports of truancy and fears of heightened idleness and crime prompted stricter requirements of study leading up to the *bar mitzvah*.[18] The 1769 Metz *takkanot* reveal still greater concerns about adolescents, the disturbances they reportedly caused, and the ongoing struggle to prevent sexual immorality among unmarried men and women. Detailed enactments that barred young boys and girls, including valets and servants, from going out beyond the Jewish streets on the Sabbath and festivals, point to a serious concern that had not been voiced in the 1690s. The new legislation prohibited young people from visiting the neighboring quarter, much less to venture beyond the gate of the city. Unmarried men and women were specifically forbidden from promenading on the wharf, while dressed in a *robe*, even if they were accompanied by parent. Also new to the mid-eighteenth century Metz laws were regulations prohibiting the practice of smoking tobacco at the wharf, both for householders and youths, evidently for fear that this borrowed custom

might penetrate the community proper.

Anxiety about the sexual mores of young men and women prompted the enactment of several other *takkanot*. Stern warnings were issued against sexual contact between men and women engaged to be married, known in French society as *fiançailles*. In contrast to earlier legislation that was silent on this subject, the 1769 law prohibited betrothed couples from being in each other's company at night, even in the presence of a guardian.[19] The new measure suggests that the moral climate had deteriorated. Accordingly, stringent measures such as heavy fines and the public disclosure of such improprieties were now judged to be necessary. Legislation limiting social contact with servant girls also reflected the community's serious concerns about sexual mores. [20] Similarly, a new provision aimed to reduce social contact between men and women by designating separate days for cemetery visitations. Other communities in central Europe, such as Triesch (1687) and Prague (1692) had carried similar measures.[21] These sources reflect concerns about the involvement of women in public ritual, the intermingling of the sexes at liminal moments, and the disorderly conduct of public rites.[22] By adopting a particularly stringent position prohibiting women from attending funerals entirely, the Metz *takkanah* reflected R. Eibeschütz's outspoken criticism of sexual libertarianism,[23] and may well have resulted from his aggressive efforts to influence communal legislation. A quarter-century earlier he had ruled that in order to avoid the intermingling of the sexes, women were expected to arrange their visitations a day or two before Rosh Hashanah and Yom Kippur, insofar as the morning before these festivals was normally reserved for men.[24]

Despite the determined efforts of community leaders to promote strict allegiance and conformity to traditional Jewish observance through the range of social and religious controls at their disposal, indications of erosion in the religious lifestyle of Metz Jewry are evident at least a half-century before the Revolution. Paternity suits, extra-marital pregnancies, and the adoption of the mores of the surrounding culture were noted regularly in the Metz *pinkas* and in the records of the *beit din*. The repeated condemnation of luxury and extravagance, first in the sumptuary laws of 1690-97 and subsequently in the 1769 r*èglement*, suggest that these trends were on the rise and confirm the criticisms voiced by R. Jonathan Eibeschütz in the 1740s. His sermons regularly condemned the trend to adopt the preponderant fashion and modes of conduct common among their gentile neighbors. He criticized men who grew long hair, shaved, drank coffee, and attended the theater, and referred to "men and boys [who] wear fine clothing, curl their hair, wear "gentile wigs" and look into the mirror to make certain that everything is in right, that none of the hair on their head is visible." Similarly, Eibeschütz complained of the tendency to conceal the ritual fringes normally worn openly, and of those who wore "tiny phylacteries hidden under their wigs, for from the day that wigs came into fashion . . . the Jews wore them as well." Also targeted for criticism was the time spent learning French, arithmetic, and dance to the detriment of Torah study.[25]

Comparing the sumptuary laws of 1769 with those of the 1690s, one may observe

that Metz leaders had become progressively more anxious about the dereliction of youth and the blurring of social status, and increasingly protective of their own authority. Concerns about a decline in sexual morality were reflected in contemporary communal legislation, rabbinic rulings, and sermons. Hoping to elevate the general moral climate, especially by offering counsel on how to ward off sexual temptations, R. Eibeschütz urged Metz residents to engage in the daily study of moralistic works.[26] Games of leisure and chance were also prohibited by the 1769 *takkanot*, which specifically targeted wagering on billiards or cards. Any person found playing these games in the city, quarter, or prison without the authorization of the community council -- even at a distance of five hours travel beyond the gate of the city -- would lose the right to participate in religious activities in the two community synagogues for a period of three years, even if there were a family *fête* to celebrate.[27] It is important to note that despite considerable tension, there was a degree of cooperation between the lay and rabbinic branches at mid-century, although it is unclear who took the initiative each time.[28]

By the mid-1770s the community council acknowledged the general erosion in community discipline. The available documentary evidence suggests that at least from mid-century, the authority of tradition was in a precarious state and that at the very least, the foregoing violations and excesses had become genuinely distressing to community leaders. Eibeschütz also complained of legislation issued in Metz, as in other Ashkenazic *kehillot*, permitting litigants to go to the French civil courts if both parties were in agreement. He conceded that he could not stop the practice because it had become so widespread.[29] It is clear that for the Metz leadership, the overarching goal of maintaining the prevailing political and social structure of the community went hand in hand with efforts to preserve the social-religious order of earlier times.[30]

As the barriers separating Jews and non-Jews were beginning to fall, efforts on the part of the communal leadership to control social, economic, and religious behavior proved to be ineffective.[31] Nevertheless, the new, overarching concern about the ordering of society emerged as a central value for communal leaders, even when appearing to be contrary to the principles of Jewish law. With the emergence of the public interest as a value largely independent of halakhic constraints or religious justification, Metz witnessed the first stage of modernization – laicization – nearly a century before the Revolution.[32] In Alsace, the penetration of cultural influences from the surrounding villages resulted in very modest changes, at best. Furthermore, communal leaders there worked strenuously to strengthen rabbinic authority and to forestall the undermining of traditional patterns. The comparison between the urban and rural settings suggests that there is a correlation between economic condition and religious change, and that modernization, at least in its preliminary stage, was already underway well before the advent of civic emancipation.

Corresponding to wider trends in France, the Metz initiatives and those later undertaken in Alsace belong to the first stage of modernization. These quasi-governmental efforts to mold society and to establish public policy guidelines were rooted in the belief that tougher standards

of order were necessary to counterbalance the potentially disintegrative trends associated with urbanization, population growth, and the increasing access to and affordability of luxury items. Such efforts were fully consistent with autonomy and, in fact, rested on its wide-ranging authority. New developments in Talmud study and rabbinic appointments in the mid-eighteenth century signify the emergence of an indigenous culture and consciousness in Alsace. This was consistent with expressions of loyalty to France that were becoming noticeable some years *before* 1789. These developments adumbrated French Jewry's sharp break with the cultural legacy of central and eastern Europe in the half-century following the Revolution and anticipated the emergence of a distinct Franco-Jewish identity in the nineteenth century.

The progressive dissolution of Jewish communal autonomy in the mid-eighteenth century marked a second stage of the modernization process. Launched by government intervention in community affairs, it corresponded to the intensification of efforts to level corporations in central and western Europe. During this period, particularly in Metz, a dissatisfaction with traditional authority and mores became more conspicuous. Eroding standards of religious observance and a weakening of rabbinic authority signaled the breakdown of the *kehillah* well before the formal surrender of communal autonomy in 1791. Following the bestowal of citizenship, ironically, forces unleashed by the Revolution intensively disrupted Jewish communal life for nearly two decades. Anti-Jewish hostility, deteriorating economic conditions, religious persecution, the emigration of an entire generation of *yeshivah* students and rabbis, and the closing of schools, synagogues, and the two Hebrew presses left their impact on most areas of Jewish culture, leadership, and the pace of modernization for much of the nineteenth century. Without a cohesive framework that could help them meet the new challenges they faced as French citizens, the Jews in revolutionary France faced a crisis for which they were not prepared. Contrary to expectation, modernization was sluggish and proceeded without direction.

In sum, the cultural history of the Jews of Alsace-Lorraine prior to the Revolution was informed by a struggle between two competing claims, namely, that the region belonged to the larger cultural universe of Ashkenaz versus the view that there was an indigenous Alsatian Jewish culture that was native to the region. The tension between the two would continue to manifest itself well into the nineteenth century, and may be observed in the discourse on the role of religion in communal life.

The Changing Role of Ritual

An examination of the evolving nature of religious ritual, its differentiation in the private and public realms, its relationship to class and gender, and its role in generational tensions provides a valuable index of the transition from tradition to modernity. The world of ritual offers entrée into intricacies of meaning that are frequently overlooked or are considered too elusive to be of much use to historians. Pioneering studies in the field of cultural anthropology undertaken by Arnold van Gennep and other students of popular culture have illustrated how traditional communities devised systems to explain the world based on rites

of passage and collective mentalities.[33] The signs and symbols of rituals reveal underlying structures of thought.[34] Religious customs also serve as a crucial repository of memories and values that were specific to a community or region, and were naturally a source of communal pride and identity. For these reasons, *minhagim* demanded vigorous efforts to ensure precision. Nevertheless, although they represented a mode of continuity with past generations – clearly of importance at a time of rampant social, cultural, and political transformation – their role in the local culture was occasionally contested. Debates about the authenticity of such rituals also revolved, increasingly, around the question of the centrality of textual traditions.

It was in the realm of ritual that the contrast between the *ancien régime* and the post-revolutionary period was particularly striking. Rituals practiced by French Jews during the *ancien régime* reflected modes of thinking about their historical origins, their relationship to the surrounding culture and society, and their identification with certain Jewish cultural traditions. In Alsace-Lorraine, Jews commonly shared with their non-Jewish neighbors a perception of the world as a dangerous place where demons wreaked havoc. Rituals lent order to their lives while also shielding them from the ruinous effects of evil spirits. They were designed to meet a variety of needs relating to life passages: the need of the individual for public acknowledgement; the need for the community to join in marking the passages of each member; the need to forge bonds among individuals; and the need to re-enact the great stories and messages of the tradition. In traditional communities of the seventeenth and eighteenth centuries, rituals were formative elements of people's view of the world. Rites of passage reflected the collective mentalities and served as a crucial repository of memories and values that were often specific to a community or region. They also represented a mode of continuity with past generations, which was of particular importance at a time of rampant social, cultural, and political transformation. Debates about the authenticity of such rituals also revolved, increasingly, around the question of the centrality of textual traditions. The rituals practiced by French Jews during the *ancien régime* reflected modes of thinking about their historical origins, their relationship to the surrounding culture and society, and their identification with certain Jewish cultural traditions. Ritual was a way of interpreting the world and reflected strategies enabling people to meet the demands and uncertainties of life.

Manifestations of folk religion in late medieval and early modern Ashkenaz emerged alongside the normative system of Halakhah. Initially transmitted orally, its ritual forms developed in response to the stresses and strains of daily life. Though conceivably distinct from text-based rituals of the rabbinic tradition, popular religious culture was rarely detached completely from literary sources. In due course, numerous protective rites and folkways coalesced with textual traditions, typically prompting the transformation of biblical, midrashic, and talmudic sources. More often than not, the result was an amalgam of elite and popular religion, characterized not so much by internal dichotomy but by functional accord.[35] Childbirth is a case in point. In light of high infant mortality rates, bearing children was a particularly frightening experience. In eighteenth century France, approximately twenty-five percent of newborns did not survive the first year, and more than forty percent failed to reach the age of

five.[36] According to popular belief, evil spirits dangerously lurked about mother and baby, and therefore the use of incantations and amulets, especially against Lilith, aimed to protect mother and baby. Emblematic of the region was the wearing of amulets of mineral and vegetable origin, the placing of a piece of iron in the delivery room as an anti-demonic device, the display of an article of the husband's clothing, and the tying of amulets made of snakeskin to the childbed.[37] To gain instruction in the preparation of amulets, including one for childbirth, men (and women) could typically consult *Sefer Raziel*, an especially popular manual infused with mystical doctrines, originally published in Amsterdam in 1701 and reprinted nearly forty times.[38]

Prayer books compiled in eighteenth-century Metz contain compelling evidence of the fusion of elite and popular religious trends. Liturgical collections helped shape and sustain the traditional worldview of the Jews of Alsace-Lorraine. The printed prayer book offered crucial guidance for the attainment of ritual literacy and the deepening of religious belief. This is illustrated by the important role that prayer books played in the dissemination of kabbalistic customs and lore.[39] As in the case of the *siddur* published in 1765, the Metz prayer books typically included entire sections of the kabbalistic *Tikkunei Shabbat* and selections from Lurianic *minhagim,* thus serving as a prime conduit for the diffusion of Lurianic Kabbalah.[40] Readers of the Metz *siddur* were urged to perform a range of Lurianic practices such as ritual immersion on each Sabbath eve and the study of the weekly Torah portion with the corresponding sections of the *Zohar*. Passages from the *Zohar* were adduced as support for wearing special clothing on the Sabbath and for lighting the Sabbath candles. Also included were instructions concerning the attainment of the proper intention in Sabbath worship, especially when reciting the psalm for the Sabbath day, in order to neutralize or destroy the harmful husks of evil (*kelipot*); worshippers were also urged to focus on welcoming the *Shekhinah* (Divine Presence) when reciting the last stanza of the *Lekha Dodi* with the approach of the Sabbath. At the departure of the Sabbath, individuals were advised to read the entire Torah portion of the coming week, "because by so doing one beckons the abundance (*shefa*) of the approaching Sabbath."[41] In addition, assorted *tehinot* were reproduced in the *siddur*, including petitions for men whose wives were in labor. Instructions for the performance of the widely practiced *tashlikh* and *kapparot* penitential ceremonies were included as well -- despite strong rabbinic opposition -- thereby suggesting that the disjuncture between popular and elite religion was mostly theoretical.[42]

Debate also centered on the realm of Halakhah, which contained evidence of considerable tension between regional and local identities. In his magnum opus, *Me'orei Or* , Rabbi Aaron Worms argued that R. Moses Isserles (author of glosses to *Shulhan Arukh*) had given undue weight to Polish *minhagim* and only insufficient attention to classical Ashkenazic sources; as a result, the customs he recommended were often inconsistent with usages observed in communities west of Prague. With this assault on Isserles's preeminence – virtually unquestioned by the mid-eighteenth century -- Worms boldly endeavored to reclaim the western tradition to which Alsace-Lorraine and Germany had maintained strong historic ties. His efforts to rescue the classical Ashkenazic liturgy from its progressive abandonment and neglect in the preceding centuries were built upon an explicit preference for the legacy of Rabbi Jacob Moellin

(Maharil) of Mainz (ca. 1360-1427).[43]

The region's liturgical rites confirm that the Jews of Alsace-Lorraine viewed themselves both as part of the broader heritage of western Ashkenaz and as adherents of a vibrant local tradition. The titles of two Metz prayer books, the *Seder Tefilah ke-Minhag Ashkenaz* (1765) and the *Mahzor ke-Minhag Ashkenaz u-Folin* (1768), bear out clearly that neither one embodied the Metz ritual exclusively but embraced the broader Ashkenazic tradition. They contain all of the standard elements of the Ashkenazic liturgy, such as *Ma'arivim*, i.e. poetic embellishments that were inserted, especially in the west, in the two benedictions preceding and following the festival evening Shema.[44] Distinctions between eastern and western rites are particularly evident in the Metz Yom Kippur *Mahzor*. For example, only the first half of the alphabetically arranged *piyyut* "*Ya'aleh*" was recited in the west, in contrast to the custom in Poland where the *piyyut* was said in its entirety; similarly, the order of "*Shome'a Tefilah Adekha*" recited in Metz conformed to the western tradition. Conversely, certain *piyyutim* that were commonly recited in Poland, such as *"Imru l`Elohim"* and "*Ma'aseh Elohenu*," were not included in the Metz editions.[45]

One feature of the Metz prayer books – the incorporation of the distinctive rites observed in Ashkenaz, Frankfurt, and Poland alongside the corresponding local *rituel* -- calls attention to the wider cultural implications of liturgical compendia. The unusual format permitted the inclusion of liturgical variants likely to satisfy the needs of the diverse local population continually augmented by the ease of movement between France and Germany and by the growing presence of immigrants and *yeshivah* students from points further east. The Metz volumes evinced the sociocultural variegation and geographical mobility characteristic of large communities, and doubtless gained a decided market advantage over *siddurim* and *mahzorim* that customarily incorporated only one or two variant rites.[46] In an era characterized by considerable population movement, it is also clear that liturgical variants functioned as markers of identity in heterogeneous communities. At the same time, the self-image of communities in northeastern France as culturally undifferentiated from their counterparts to the east was a clear reflection of general political and economic conditions. Until the collapse of the *ancien régime*, Alsace-Lorraine remained virtually detached from the interior of France because of customs restrictions, while trade with foreign countries was unhampered.[47] Smaller towns and villages were, as a rule, inclined to tolerate less diversity in ritual matters. Which liturgical rite a particular community might observe could depend on long-established tradition, or conversely, on the personal custom of the local rabbinic authority. The fact that mid-century Ribeauvillé adopted the *rituel* of Frankfurt following the arrival of its newly elected rabbi, Süssel Moïse Enosch, suggests that local traditions were not sufficiently entrenched to forestall innovation of this sort. By contrast, when faced with a similar situation in 1766, the community leadership of Metz firmly rejected an effort by Rabbi Aryeh Loeb Günzberg to alter the manner of reciting the *Aqdamut* hymn on the Shavuot festival because it contravened local custom. In Metz the custom was to recite *Aqdamut* immediately after the first verse of the day's Torah reading, in conformity with the view of Maharil, whereas Günzberg, like other rabbinic authorities, preferred that the hymn be read first in order to avoid an unnecessary interruption. Insulted by this rebuff, Günzberg refused

to ever preach in that particular synagogue again.[48]

Perhaps only symbolically, the abrupt resolution of the Günzberg incident challenged the dominant paradigm of halakhic pluralism that reigned in western and central Europe. The publication of a large core of commonly recited prayers and the inclusion of liturgical variants in the same volume had all attested to the broad religious culture in which Metz shared. However, the *siddurim* of Alsace and Metz also contain evidence of distinctive traditions that these communities steadfastly upheld. According to the earliest edition of *Selihot mi-kol Ha-Shanah ke-Minhag Elsass* (1691), the Alsatian rite originated as *minhag Colmar* and was observed by Rabbi David Sulzburg, *av beit din* and head of the *yeshivah* in Breisach.[49] Aside from this single collection of *selihot*, however, no other compendium of Alsatian liturgical traditions is extant and there are no indications that a distinct rite was preserved. Conversely, while Metz knew of no distinct order of *selihot*,[50] clear evidence of local customs is interspersed throughout the series of *siddurim* and *mahzorim* published by the local press. Copious notations indicated where the Metz customs diverged from the Frankfurt, Ashkenaz, Polish, or Amsterdam rite,[51] and detailed instructions guided the worshipper in the proper order of the *piyyutim*,[52] the correct manner of recitation (e.g. where to begin, or if a *piyyut* is to be said responsively), and the replacement of commonly recited *piyyutim* with variants deemed preferable by local custom.[53] Several other practices were unique to Metz. The morning benediction "*Magbiah Shefalim*" was recited in Metz and in only a handful of other localities, though it was often identified as a specifically Metz custom.[54] In the case of deferred news of the death of a parent received on *hol ha-mo'ed* (intermediate days of a festival), the Metz practice was to wait until after the end of the festival before rending one's garment. This varied with the prevailing Ashkenazic custom to perform the ritual on *hol ha-mo'ed* for parents but not for other family members. In Poland, it was customary to rend garments for any relative who had died.[55] In a number of areas of Jewish law, Aaron Worms cited local traditions preserved in the writings of his father, R. Abraham Aberlé Worms and his mentors, R. Isaac Netter of Bouxwiller and R. Leib Gugenheim.[56]

Distinctive rites of remembrance offer additional insight into the construction of Metz Jewry's collective identity. A memorial prayer composed by Rabbi Moses Cohen Narol, a refugee from Poland who was appointed *av beit din* of Metz in 1649, reveals an unusual effort to embrace the memory of Jews murdered in the Chmielnicki massacres. The adoption of the prayer by the Metz *kehillah* reveals the sense of intercommunal unity that pervaded Jewish consciousness; the author, using the metaphor of a single organism, asserted at the end of his elegy that "[all] communities are united as one person." Perhaps more remarkable than R. Narol's initiative, however, is the fact that the Metz community continued to recite the prayer twice a year for at least two centuries. Moreover, by choosing to remember the Chmielnicki victims on the Sabbaths preceding Shavuot and Tisha b`Av -- the same Sabbaths when it was customary throughout Ashkenaz to recall the memory of the Crusader martyrs -- the Metz community conflated the two catastrophes into a single rite of remembrance, incorporating it among other distinct rites performed locally. Of all the communities beyond Poland, only Metz and Venice recited elegies that were composed locally.[57] More specific to local history was the

fast observed by Metz Jews on 25 Tevet to commemorate the anniversary of the burning of Raphaël Lévy, falsely accused of ritual murder in 1669.[58] The trope linking past suffering with contemporary deaths and persecution continued into the nineteenth century. In the *Yizkorbuch* (memorial book) of the Haguenau community the names of victims of the Damascus blood libel were recorded alongside the list of earlier martyrs, beginning with the era of the Crusades. Similarly, the 1798 *Memorbuch* of Dornach (in Haute-Alsace) included memorial prayers for victims of religious persecution in Germany, Austria, Bohemia, Spain, Holland, and Poland, and for heads of *yeshivot*; special memorial prayers were also recited for Rabbenu Gershom, Rashi, R. Jacob Tam, R. Meir of Rothenburg, and R. Israel ben Petahiya.[59]

Religious traditionalism continued to play a central role in the lives of French Jews throughout the nineteenth century. For the Jews of rural Alsace-Lorraine especially, traditional structures of meaning remained plausible long after the end of the *ancien régime*, as evidenced by the popularity of folk religion. The creation of the consistorial framework also contributed to the continued centrality of ritual to Jewish culture. Despite the sweeping changes that accompanied the Revolution of 1789, the nineteenth-century Jewish community evinced remarkable structural continuity with the medieval *kehillah*. Dominated by the same wealthy families as in the *ancien régime*, the consistorial leadership controlled the various community institutions, as before, and remained resistant to wider communal participation in the decision-making process. Although the consistory did not have the authority to control the religious behavior of community members as in the case of the *kehillah*, consistorial regulations appear to have blunted the effects of modernization, particularly in small communities where local pressures were more keenly felt. After 1831, when membership in the Jewish community became theoretically voluntary, failure to contribute financially to the synagogue resulted in loss of religious rights and privileges, including burial in the Jewish cemetery. In order to raise funds, communities imposed a voluntary taxation on those who participated in organized Jewish life. Individuals who failed to share the burden of these obligations were excluded from rights and honors in the synagogue and, in extreme instances, were subjected to what was, in effect, religious ostracism. Over the course of the century, communal controls became less effective, as they could be applied only to those who voluntarily bowed to communal authority.[60]

Following the Revolution, the Jewish self-image was powerfully transformed by the promise of full civic equality and the concomitant demand of *régénération*. In the nineteenth century, ritual dramatized the experience of citizenship, nationalism, and religious pluralism. From 1789, the Jewish self-image was powerfully transformed by the promise of full civic equality and the concomitant demand that Jews undergo extensive social and cultural transformation. Nineteenth-century ritual and the debates surrounding ritual reform signaled changes in the way that Jews related to the state, French society, and French culture. Throughout the nineteenth century, ritual assumed a more pronounced performative function that dramatized, especially in the presence of non-Jews, the epoch-making changes of the day. Though undeniably expressive of how Jews defined their identity, especially in the public space of the French city, the newer rituals were mainly reflections of the life that

was shaped so completely by the powerful forces of the Revolution. For villagers, however, the older rituals remained central to the daily rhythms of life and culture long after the Revolution.[61]

Throughout the nineteenth century, the course of Jewish emancipation remained interwoven with the revolutionary legacy of liberty, fraternity, and equality. The emergence of a modern Jewish ethos was guided by the progressive interpretation of this legacy, so profoundly influenced by political and social forces within and beyond the Jewish community. The dynamic interplay between gentile assessments of Jews on the one hand and Jewish self-assessment on the other played a crucial role in this process and accounted for many of the shifts in Jewish self-image. During the Napoleonic regime, the Bourbon Restoration, and the July Monarchy, aggressive efforts to reconstruct Jewish communal institutions proceeded under the watchful eye of governmental authorities. Building on the theme of *régénération*, leaders constructed a new identity that rested on the subordination of religion to the state, the depoliticization of Judaism, and the parity of Judaism with Catholicism and Protestantism. Each of these elements of the new consciousness found expression in the consistorial system.

Aside from the political and social difficulties that complicated the early phases of emancipation, the notion of citizenship posed unending cultural and religious challenges to French Jews, as is evident in the range of conceptual and strategic views advanced by their leaders. Debate centered on how much of the legacy of traditional Judaism, with all of its implications for continued separatism, ought to be preserved in an age when social and cultural barriers were viewed with increasing suspicion. Were Jews willing to break from their historical relationship to the world around them -- especially to their non-Jewish neighbors and to gentile culture -- and accept Voltaire's challenge to merge their identity in that of humanity? And what would become of the symbols of their separate culture?

There was wide agreement on the need to adapt Jewish ritual to the novel status of nineteenth-century French Jewry. In response to the claim that strict adherence to the Jewish ritual tradition precluded participation in public life, reformers went several steps further than the Paris Sanhedrin. The Napoleonic assembly had represented Judaism as a depoliticized religion, stressed several liberal interpretations of Jewish law, and emphasized the principle of *dina d'malkhuta dina* ("the law of the land is the law") in order absolve the Jewish religion of its purported moral failures and fundamental incompatibility with civic duties. Reformers, however, lobbied for the elimination of those aspects of the religious tradition, including ritual and liturgical elements that were unsuited to citizenship. They also insisted that greater attention to the aesthetic and spiritual dimensions of ritual would persuade the growing numbers of alienated Jews to return to the synagogue. Religious reform found justification for its agenda in the differentiation between the essential and nonessential in Judaism and in the interstices between custom and law.

Although their conclusions were in some instances unorthodox, the interpretive methods they employed were, on the whole, quite moderate. The most remarkable aspect of

the French Jewish response to the profound challenges of their era was the refusal to discard the rituals and symbols of the Jewish tradition. In response to the decline in traditional observance, especially in urban centers, Jewish leaders of virtually every stripe developed strategies on how to ensure the continued viability of Judaism in post-revolutionary France. Despite significant differences, a clear consensus on the importance of preserving a distinct social and cultural identity had emerged. The result was a "republican Judaism" that sharply rejected both the separatism favored by certain sectors of the orthodox community, as well as the liberal demand for *fusion sociale*. Embodying the central doctrines of the Sanhedrin, it viewed service to state and society as a religious obligation and rejected any distinction between Jew and non-Jews in the performance of ethical duties. It understood the Jewish messianic idea almost exclusively in terms of its universal-humanistic implications: the reign of truth and justice, as the triumph of the belief in the unity of God, and peace. The mission of Israel was to protect the knowledge of God, to embody it in their way of life, and to teach it to humanity.[62]

Defining the precise role of the ritual commandments in nineteenth century French Judaism was a more divisive issue, however. R. Salomon Ulmann, for one, emphasized the straightforward details of ritual ceremonies and their ethical-moral dimension. Although he stressed the importance of integrating the fate of the Jews with the common destiny of France, he placed greater emphasis on personal piety than on civic duties. He argued for a symbiosis of the universal and the particular, insisting that every rite exuded universal significance. Concerned that excessive religious identification with the state could be harmful, Ulmann's was a voice of dissent against the more broadly accepted view of the Revolution as a religiously transformative force.[63]

Among leading proponents of *régénération* there was a clear tendency to interpret the rituals symbolically, as in the case of the festivals of the Jewish calendar, which they viewed as paradigms of the Revolution and of emancipation. This entailed the creative reinterpretation of existing rituals and the formation of new ones. Foremost among lay and rabbinic efforts to reinterpret the rituals of Judaism was the tendency to retreat from the messianic meaning of traditional festivals. Holidays such as Passover, Hannukah, and Tisha b'Av marked events that appeared out of step with the recent history of French Jews. However, instead of urging reform, the *régénérateurs* typically retained the traditional framework of the ritual, including the liturgical symbols as well, but modified their conceptual underpinnings. Samuel Cahen asserted that the declaration pronounced at the end of the Passover Seder, "Next Year in Jerusalem," could no longer represent to emancipated French Jewry what it had once meant in times of oppression. "We are not speaking of an actual restoration," he explained, "it is a pipe dream of ailing minds; the times do not move backwards." He therefore interpreted the phrase in symbolic terms, rather than as an indication of future aspirations.[64] Michel Berr construed prayers for the return to Zion in the broad sense of universalist strivings for human perfection. He recommended prayers for deliverance from evil, sin, and passion – as opposed to ritual remembering -- as

the principal mode of observance of Passover. It was only by dint of upright behavior that Jews could hope to merit deliverance from oppression and servitude, and expect to see their coreligionists abroad come to enjoy the benefits of justice.[65] Ultimately, virtuous conduct itself was deemed to be redemptive.

The biblical theme of freedom from servitude was integrated with the recent experiences of French Jewry and their less fortunate coreligionists elsewhere. However, it is important to note that the process worked in the other direction as well. Toward the end of the century, at the one hundredth anniversary of the Revolution, R. Zadoc Kahn of Nîmes could refer to the French Revolution as "our flight from Egypt … our modern Passover."[66] In this instance, the present (Revolution) was validated in biblical terms. Simon Bloch, in *La Foi d'Israël*, similarly blurred the line separating past and present. He described the history of the Exodus in thorough detail, and then proceeded to enlist Passover as an historical paradigm in order to shed light on the condition of Jews of his own day. What is most telling, however, is that when presenting his account of biblical history, he employed the language of *liberté*, *émancipation*, and *la régénération spirituelle*, which resonated with the contemporary period.[67]

Ritual reinterpretation was, ultimately, a conservative technique used to justify the retention of otherwise outmoded rites. This conservatism was consistent with a parallel trend among those engaged in the scientific study of Judaism to pursue a more emphatically Jewish agenda. Virtually every aspect of the methodological critique of Jewish tradition in the nineteenth century had its roots in the vast halakhic literature of the medieval and early modern periods. After the Revolution, a number of traditionalists took the lead in the development of critical approaches to classical texts. Nevertheless, both technically and conceptually, modern scholars in France remained remarkably conservative in their approach. And although modern scholarship reflected an abiding optimism in all that the Revolution implied, it became increasingly wary of the problematical nature of emancipation. In the face of growing challenges to the place of the Jews within French society and culture, *la science de judaïsme* emphasized the uniqueness of the Jewish tradition.[68]

A new appreciation for the cultural significance of the 'public sphere' can be discerned in ceremonies designed to meet the challenges of unprecedented social inclusiveness and religious legitimacy. One such ceremony, the *initiation religieuse*, became the most widely implemented ritual innovation in France. Conducted for boys and girls who had passed examinations in Hebrew reading and mastery of the catechism, it was usually held on two separate occasions each year, and was performed in the presence of municipal leaders, members of the local public school committee, and special dignitaries. The *initiation religieuse* was an important and celebrated reform because it represented a public display of the new Franco-Jewish spirit. Two salient themes are recognizable in the initiation ceremony. First was the implicit need to offer continuing evidence of socio-economic *régénération*. This was the thrust of a ceremony conducted in the upper Rhine community of Thann in 1844. Held in the local synagogue, it was attended by heads of the municipal

administration, members of the local *comité d'instruction primaire*, various 'enlightened' persons, and strangers to the Jewish community. The local newspaper was impressed and pleased that in the Jewish schools there was no lack of effort to inspire students with love of the *patrie*. [69]

A second underlying objective was to exploit the *initiation religieuse* as a public showpiece in order to highlight the achievements of religious reform and the prospects for future innovation. The *Archives israélites* viewed the ceremony as a means, if only symbolic, to redress the deficiencies in traditional Jewish ritual and gender inequality. Describing the ceremony held at the Paris temple in 1844, the journal spoke of the 'great effect' of the organ in a temple like that of Paris. It also emphasized the need for uniformity of customs in synagogues, a concern that R. Ulmann had voiced in the same years.[70] The *régénérateurs* viewed the *initiation religieuse* as a paradigm of ritual reform, as it included virtually all the reformist elements that proponents of reform had advocated but rarely achieved: a dignified service, equality for girls, choral singing to the accompaniment of an organ, and a sacred declaration of patriotic loyalty and love for the king and the royal family. Lay reformers and consistory activists were in the forefront of efforts to implement the *initiation religieuse*, but progressive rabbis were centrally involved in designing the program and in officiating at the popular ceremony. By the mid-1840s the ceremony was routinely conducted in most communities, and was finally adopted by the rabbis of Metz and Colmar – the two outspoken opponents of religious reform -- with certain modifications, in the early 1850s.[71] The *Archives* emphasized that the ceremony was necessary because of disappointment with the traditional *bar mitzvah* ceremony and because of the need to train women to take an active part the public rituals of the synagogue.

Despite many clear indications of continuity from the *ancien régime* to the post-revolutionary period, a close examination of the history of France's Jews suggests that their culture had become autochthonous within several decades after the Revolution. The progressive break with a longstanding religious and cultural tradition linking the Jews of Alsace-Lorraine culturally, socially, and economically with territories to the east began in the last stages of the *ancien régime*, and gathered speed under the impact of the Revolution, the Terror, and the Napoleonic regime. More than their effusive patriotic devotion, French Jewry's identification with the successes and achievements of France contributed powerfully to the ethos of cultural distinctiveness. This was due, in no small measure, to the powerful role that religion continued to play in modern Jewish culture, even in its most secular form. Although the Jews of France underwent a radical transformation that redefined their relationship to the society around them, the terms and concepts of the Jewish religious tradition remained central to the discourse of modernization, no less than in the *ancien régime*. In fact, every reformist initiative of the nineteenth century, from the Paris Sanhedrin to the extensive synagogue reforms of R. Salomon Ulmann, and even in the realm of politics as well, drew heavily on the primary texts and paradigms of the Jewish tradition.[72]

Equally significant was the dramatic role that religion played in helping French Jews

interpret the meaning of emancipation. Their leaders articulated the belief that the Jews of France were entrusted with a sacred mission to model the ideals of 1789 to Jewish communities abroad, and even within French society. By mid-century the term *régénération* had come to signify the mission of civilizing Jews in underdeveloped areas of the world. As for French society itself, the ideals of Judaism were identified with those of the French Revolution. Although admiration for the biblical covenant and the Mosaic legislation was a longstanding theme in the writings of several seventeenth- and eighteenth-century political philosophers, from Bodin to Rousseau, a number of Jewish writers went so far as to declare that Mosaic institutions were permeated with the principles of the Revolution and, conversely, that the Revolution was the fulfillment of the Judaic ideal of justice. From this it followed that the Jews were destined to complete the effort begun by the Revolution and would, ultimately, work toward the regeneration of society at large. This grandiose task, however it was imagined and defined, was an adaptation of an ancient aspiration to perfect the world. Belying the oft-heard claim that Judaism was morally and culturally bereft, it presumed the convergence of the particular and the universal commitments of Judaism. The process of joining French society as citizens was a complex undertaking that demanded not only difficult social and economic adjustment but also a rethinking of Jewish identity. For many, the successful realization of this goal involved ambitiously drawing on the mythic power of the Revolution and the Jewish religious heritage.

Notes

[1]For a full treatment of the issues taken up in this article, see Jay R. Berkovitz, *Rites and Passages: The Beginnings of Modern Jewish Culture in France, 1650-1860* (Philadelphia, 2004).

[2]Salon W. Baron, *The Jewish Community: Its History and Structure to the American Revolution*, 3 vols. (Philadelphia, 1942), vol. 2, pp. 301-307; vol. 3, pp. 200-203; Louis Finkelstein, *Jewish Self-Government* (New York, 1925), pp. 228, 281-295, 373-5; Herman Pollack, *Jewish Folkways in Germanic Land (1648-1806)* (Cambridge, Mass., 1971), pp. 86-91; and Cecil Roth, "Sumptuary Laws of the Community of Carpentras," *Jewish Quarterly Review* 18 (1927-28): 357-383.

[3]See Yair Hayyim Bacharach, *Resp. Havvot Yair* (Frankfurt am Main, 1699), no. 81.

[4]According to Henri Léon, *Histoire des juifs de Bayonne* (Paris, 1893), p. 378, R. Raphael Meldola made an unsuccessful attempt to enact sumptuary regulations.

[5]On the relationship of clothing and social status, see Daniel Roche, *La culture des apparences. Une histoire du vêtement (XVII-XVIII siècle) (*Paris, 1989), esp. pp. 49-66, now in English edition: *The Culture of Clothing: Dress and Fashion in the ancien régime (*Cambridge, 1996), trans. Jean Birrell.

[6]Alan Hunt, *Governance of the Consuming Passions: A History of Sumptuary Law* (New York, 1996), esp. pp. 4-11, 108-141.

[7]Roche, *France in the Enlightenment*, pp. 110-111, and idem, *The Culture of Clothing*, pp. 27-9, 49-66.

[8] On the relaxation of restrictions for the elite, see the 1690 *règlement*, art. 30, and the 1697 *règlement*, art. 25. On synagogue honors, see the 1769 *règlement*, arts. 20, 25-6, and 29.

[9]See Horowitz, "A Jewish Youth Confraternity in Seventeenth-Century Italy," 36-97. For additional sources, see idem, "Les Mondes des jeunes juifs en Europe," in *Histoire des jeunes en Occident*, eds. G. Levi and J.-C. Schmitt (Paris, 1996), vol. 1, pp. 114-116, and Pollack, *Jewish Folkways*, pp. 74-5. For measures aiming to address the instability of youth, see 1769 *règlement*, arts. 5-6, 20, 26, 29, 51, 80, and 95.

[10]The Avignon *takkanot* dating from 1558 indicate that although education was not initially compulsory, taxpayers at all levels were required to pay six florins annually, aside from the *Capage* (the head tax) to support the enterprise. According to the *takkanot* of 1779, however, education was compulsory until the age of fifteen. On the 1558 *takkanah*, see R. de Maulde, ed., "Les Juifs dans les Etats français du Pape au moyen âge," *Revue des etudes juives* [henceforth *REJ*] 8 (1884): 99, art. 14. On the 1779 *takkanot*, see Isidore Loeb, ed., "Statuts des Juifs D'Avignon, 1779," *Annuaire de la société des études juives* 1 (1881): 233-4.

[11]For the French translation, see Abraham Cahen, "Enseignement obligatoire édicté par la communauté israélite de Metz," *REJ* 2 (1881): 303-5. For similar problems in Bordeaux, see Simon Schwarzfuchs, *Le Registre des deliberations de la Nation Juive Portugaise de Bordeaux (1711-1787)* (Paris, 1981), nos. 273 and 280. For Bayonne, cf. Gérard Nahon, *Les "Nations" juives portugaises du sud-ouest de la France (1684-1791)* (Paris, 1981), document LXXV, pp. 240-244.

[12]For details on eligibility requirements, see Hertzberg, *French Enlightenment*, pp. 234-

5. 1769 *règlement*, arts. 20, 25-26, 29.

[13] 1769 *règlement*, arts. 46, 51.

[14]Ibid, art. 80. Exemptions were granted to orphans and bachelors with the permission of their fathers. For parallels, see Gershon Hundert, "Jewish Children and Childhood in Early Modern East Central Europe," in *The Jewish Family: Metaphor and Memory*, David Kraemer, ed. (New York, 1989), p. 89; and Horowitz, "Les Mondes des jeunes juifs en Europe," p. 113.

[15]1769 *règlement*, art. 95.

[16]Ibid, art. 120.

[17]*Pinkas Metz*, JTS Microfilm no. 8136, published with translation in Samuel Kerner, "Acte de fondation d'un college hébraïque à Metz, 1751," *Archives juives* 7 (1970-71): 45-50.

[18]See the 1769 *règlement*, article 10. For a French translation, see Kerner, "Le règlement de la communauté de Metz."

[19]1769 *règlement*, art. 43. Although the practice of cohabitation after the formal betrothal but before the marriage ceremony proper was disappearing by the 1600s, premarital conceptions still accounted for ten percent of first births in the 1700s. See Robin Briggs, *Early Modern France, 1560-1715* (Oxford, 1998), p. 190. Disturbed by reports of sexual contact before marriage, Eibeschütz pledged in *Ya'arot Devash,* pt. 1, p. 62, that he would include a clause in the betrothal contract obliging the couple to refrain from any physical contact until after the wedding. Concerning engaged couples, the *règlement* also stated that the beadle should not issue invitations to the *shpinholz* until after the couple has been punished.

[20]1769 règlement, art. 42.

[21]See Jacob R. Marcus, "The Triesch *Hebra Kaddisha*, 1687-1828," *HUCA* 19 (1945-46): 180, and the Prague *takkanah* of 1692, art. 25 in *Jüdische Centralblatt* 8 (1889): 51-2. Cf. Juspa Han Noyrlingne, *Yosef Omez* (Frankfurt am Main, 1723), p. 327 on avoiding frivolity in the cemetery.

[22]See Joseph Karo, *Beit Yosef*, *Yoreh Deah* 359, where the zoharic custom to prevent women from going to the cemetery is cited. For an attempt to neutralize the halakhic significance of the zoharic passage, cf. Aaron Worms, *Od la-Mo'ed*, ad loc., p. 140a. Also see Yedidia Dinari, "The Profanation of the Holy by the Menstruant Woman and the 'Takanot of Ezra,'" [Hebrew] *Te'uda* 3 (1983): 35-6, where it is proposed that the prohibition derives from the Lurianic conception of impurity.

[23]Eibeschütz regularly railed against sexual immodesty, excessive frivolity, and inappropriate physical contact; see *Ya'arot Devash*, pt. 1., pp. 19, 37, 42, 61-2, 231, and 240. Cf. similar concerns in Alsace, 'Protocol of the Medinah,' arts. 23, 27-28.

[24]1769 *règlement*, art. 62. Exceptions included women who lived in the home of the deceased, two women from the burial society, and two from the shrouds society. For Eibeschütz's concerns about men and women at the cemetery, see *Ya'arot Devash*, pt. 1, p. 262.

[25]For his condemnation of excessive materialism, see *Ya'arot Devash*, pt. 1,22-3; against gentile fashions and wigs, see pt. 1, p. 40, pt. 2, pp. 2-3, 22; on the preoccupation with luxury, see p. 127; on the preference for secular pursuits, see pt. 1, pp. 35-6.

[26]On the importance of moral literature to bolster the moral fiber of the community, and on Eibeschütz's own efforts to institute its study on a regular basis, see *Ya'arot Devash*, pt. 1, pp. 225-6.

[27]1769 *règlement*, art. 44, cited in Kerner, *La Vie*, p. 216.

[28]Eibeschütz noted several instances where he tried to influence communal legislation, including efforts to allocate communal support for men to study Torah for the first five years of marriage, and efforts to limit social interaction of men and women. See *Ya'arot Devash*, pt. 1, pp. 37, 62, 217, 231, 262.

[29]Eibeschütz, *Urim ve-Tumim*, *Hoshen Mishpat*, no. 26.

[30]For an example of the determination community leaders to preserve the stability of the social and religious order, see 1769 *règlement*, art. 17.

[31]See Frances Malino, "Competition and Confrontation: The Jews and the *Parlement* of Metz," in *Les Juifs au regards de l'histoire: Mélanges en l'honneur de Bernhard Blumenkranz*, G. Dahan, ed. (Paris, 1985), pp. 327-341, and idem, "Résistances et révoltes à Metz dans la première moitié du 18e siècle," in *Juifs en France au* XVIIIe *siècle*, B. Blumenkranz, ed. (Paris, 1994), pp. 125-140.

[32]The idea received the endorsement of Rabbi Yair Hayyim Bacharach. He affirmed the right of communities to regulate behavior in areas beyond the boundaries of Jewish law and custom and denied individuals the right to disobey if the legislation reflected the will of the majority of the community or its representatives. According to Bacharach, sumptuary laws were under the legitimate jurisdiction of the lay leadership either because they concerned an halakhically neutral sphere or because they functioned as a barrier to immorality. Their ultimate justification, he asserted, lay in the fact that they were intended to sustain the collective body. See *Resp. Havvot Yair*, no. 81. Significantly, the Bacharach responsum does not require the halakhic ratification of communal legislation by a major rabbinic authority.

[33]Arnold van Gennep, *Manuel de folklore français contemporain* (Paris, 1943). Also see Robert Muchembled, *Popular Culture and Elite Culture in France, 1400-1750*, trans. Lydia Cochrane, (Baton Rouge, 1985).

[34]Edward Muir, *Ritual in Early Modern Europe* (Cambridge, U.K., 1997), pp. 1-9.

[35]See Peter Brown, *The Cult of the Saints* (Chicago, 1981).

[36]François Lebrun, *La vie conjugale sous l'ancien régime* (Paris, 1975), pp. 139-142.

[37]See Pollack, *Jewish Folkways*, pp. 16-17; Freddy Raphaël, "Rites de naissance et medecine populaire dans le judaïsme rural d'Alsace," *Revue de la société d'ethnographie française* 1 (1971): 83-94.

[38]See Mordecai Margaliot, *Sefer Ha-Razim* (Jerusalem, 1966), and Joseph Dan, *Torat*

Ha-Sod shel Hasidei Ashkenaz (Jerusalem, 1968).

[39]See Zeev Gries, *The Book as an Agent of Culture, 1700-1900* (Tel Aviv, 2002).

[40]See the reference to Lurianic practice in *Tefilah ke-Minhag Ashkenaz u-Folin* (Metz, 1765), p. 48b, and in "Seder Ha-Ma'amadot," p. 4b. In his "*Hibbur ha-Siddur*" (see n. 74), fol. 145, Worms referred to the practice, introduced by the rabbi of the Metz *beit midrash* at the turn of the eighteenth century, of reciting Ps. 86 and 124, as well as *seder ketoret ha-ma'amadot*, after *'Aleinu*. This continued to be the community's custom in the nineteenth century.

[41]*Seder Tefilah ke-Minhag Ashkenaz* (1765), pt. 2, pp. 1a-2a, 12b, 18a, 20b, and 66b.

[42]On *tehinot* for pregnant women, see ibid, pt. 4, pp. 39b-40a; on *tashlikh* and *kapparot*, see ibid, pt. 2, p. 125b. The *tashlikh* ceremony was included in the *Mahzor shel Rosh Hashanah ke-Minhag Ashkenaz* (Metz, 1817), pt. 1, p. 125b, though there is no mention of the *kapparot* rite in the *Mahzor shel Yom Kippur* (Metz, 1817).

[43]Attitudes toward the Isserles glosses ranged from strident criticism to praise. For the harshest critique, see Hayyim ben Bezalel Friedberg, *Viku'ah Mayyim Hayyim* (Amsterdam, 1712), introduction. Worms's disapproval of Isserles in the realm of *minhag* may have been a departure from his predecessors. For attitudes toward Isserles, see Moshe Rosman, "The Image of Poland as a Center of Torah Learning after the 1648 Persecutions," *Zion* 51 (1986): 440. Also see Benjamin S. Hamburger, "The Historical Foundations of Minhag Ashkenaz," in *Minhagim of Worms according to Juspe Shamash*, pp. 101-5, I. M. Peles, ed. On Worms's preference for Maharil over Isserles, see *Be`er Sheva* 14b; 31b-32a; cf. *'Od la-Mo'ed* 32b, 51a, and 109a.

[44]See Daniel Goldschmidt, *Mahzor le-Yamim Nora`im* (Jerusalem, 1970), vol. 1, pp. xxxi-il.

[45]See *Mahzor ke-Minhag Ashkenaz u-Folin* (Metz, 1768), pp. 7b-8a, 93b.

[46]See the various *siddurim* and *mahzorim* published in Metz, beginning with *Seder Tefilah ke-Minhag Ashkenaz* (Metz, 1765).

[47]John Lough, *An Introduction to 18th Century France* (London, 1960), p. 70.

[48]On the rite adopted in Ribeauvillé, see *Archives israélites de France* 5(1844): 542-7. Concerning the Günzberg incident, see Cahen, "Rabbinat," *REJ* 12 (1886): 294-5. For a defense of the Metz custom, see Koblentz, *Resp. Kiryat Hannah*, no. 7. Cf. Worms, *'Od la-Mo'ed* 13a.

[49]*Selihot mi-kol Ha-Shanah ke-Minhag Elsass* (Frankfort am Main, 1691). The volume was republished in 1725, and numerous times thereafter, including an edition by Wolf Heidenheim (Roedelheim, 1838). On the 1691 edition, see Sarah Frankel, Frankel, Sarah. "Concerning Two Lost Books that Were Found" [Hebrew], *`Alei Sefer* 10 (1982): 141, and Hayyim Schmeltzer, note in *Kiryat Sefer* 59 (1984): 646.

[50]The Metz *selihot* volume was entitled *Selihot ke-Minhag Ashkenazim.*

[51]For specific synagogue customs performed in Metz, see *Seder Tefilah ke-Minhag Ashkenaz* (Metz, 1765): concerning the order of *Tahanun*, see p. 35a-b; regarding the recitation of *Birkhat Kohanim* on a festival that falls on the Sabbath, see p. 48b. For Metz variants to the

standard order of scriptural verses in the *Musaf* of Rosh Hashanah and Yom Kippur according to most Ashkenazic communities, see *Mahzor ke-Minhag Ashkenaz u-Folin* (1768), pt. 1, pp. 28b; for other examples of similar variances, see pp. 14a, 42a, and 43a.

[52]*Mahzor* (1768), pp. 5b-6a, 81a, 90a, 159b-160a, 169a, 174a.

[53]*Mahzor* (1768), pp. 65a-b; *Mahzor* (1768), pp. 93b; *Mahzor le-Pesach, Shavu'ot, ve-Sukkot* (Metz, 1769), pt. 2, p. 49, and p. 126b.

[54]See Moshe Halamish, "Birkhat Magbiah Shefalim," *Asufot* 1 (1988): 198.

[55]*Mahzor le-Pesach, Shavu'ot, ve-Sukkot* (Metz, 1769), pt. 2, p. 53b; for the opposing view, see Isserles, O.H. 547:6, and cf. Abraham Gombiner, *Magen Avraham*, O.H. 547:3. R. Aaron Worms noted that in his day many were not accustomed to rend their garments on *hol ha-mo'ed*, even for a parent. See *Od la'Mo'ed* 138a. On an unusual custom concerning *eruv hazerot* before the Passover holiday, see *Mahzor le-Pesach, Shavu'ot, ve-Sukkot*, pt. 2, p. 100a.

[56]See, for example, *'Od la-Mo'ed* 26b, 29a and *Kan Tahor* 111a.

[57]Narol's elegy for Polish Jewry, entitled *Baqashah*, was first published in Amsterdam in 1699, and subsequently in Metz (1777) and Lunéville (1806). In these three instances, it was printed in a handbook that included the *piyyut* "Geroni Nihar," which was recited in Metz on the "four fasts," and occasional prayers recited during the period between Rosh Hashanah and the end of Sukkot. For the point at which the *Baqashah* was recited, see *Seder Tefilah ke-Minhag Ashkenaz* (1765), p. 79b. For a listing of prayers composed in memory of the Chmielnicki martyrs, see Simon Bernfeld, *Sefer Ha-Dema'ot*, 3 vols. (Berlin, 1926), vol. 3, pp. 160-184, and Michael Handel, *Gezerot Tah ve-Tat* (Jerusalem, 1950), ch. 3.

[58]Patricia Behre, "Raphael Levy -- 'A Criminal in the Mouths of the People,'" *Religion* 23 (1993): 19-44.

[59] "Yizkorbuch of Haguenau," Central Archives for the History of the Jewish People, HM 5010, cited in Paula Hyman, *The Emancipation of the Jews of Alsace* (New Haven, 1991), pp. 71-2.

[60]See Graetz, *From Periphery to Center*, ch. 1; Albert, *Modernization of French Jewry*, 310.

[61]On the vitality of traditional ritual observance in Alsace well into the nineteenth century, see Hyman, *Emancipation of the Jews of Alsace*, 72-79. For evidence of the prominent role that Lurianic Kabbalah enjoyed in Alsace in post-revolutionary culture, see the decorative "*Lekha Dodi*" prayer sheet produced by a teacher in Muttersholtz, and the ornate Lurianic amulets for childbirth, reproduced in Geoffrey Wigoder, ed. *Jewish Art and Civilization* (Secaucus, N.J., 1972), 76-7.

[62]See Samuel Cahen, *Précis élémentaire d'instruction religieuse et morale pour les jeunes français israélites* (Paris, 1820), and Elie Halévy, *Instruction religieuse et morale* a *l'usage de la jeunesse israélite* (Paris, 1820), pp. 74-5, 83, 98-101.

[63]Salomon Ulmann, *Recueil d'instructions morales et religieuses à l'usage des jeunes israélites français* (Strasbourg, 1843). The 1860 edition was entitled *Catéchisme ou elements d'instruction religieuse et morale à l'usage des jeunes israélites* (Paris, 1860).

[64]*Archives israélites de France,* 1 (1840): 235-7.

[65]See Michel Berr, *Nouveau précis élémentaire d'instruction religieuse et morale* (Nancy, 1839), p. 62, and Berkovitz, *Shaping of Jewish Identity*, pp. 188-9.

[66]Benjamin Mossé, *La Révolution français et le rabbinat français* (Paris, 1890), cited in Marrus, *The Politics of Assimilation*, p. 9.

[67]Simon Bloch, *La Foi d'Israël* (Paris, 1859), pp. 130-147.

[68]See Berkovitz, *Rites and Passages*, chapter 7.

[69]Cited in *Archives israélites de France* 5 (1844): 505.

[70]See Ulmann Letters, no. 32, August, 1845.

[71]Berkovitz, *Shaping of Jewish Identity*, pp. 216-7.

[72]Berkovitz, *Rites and Passages*, pp. 203-211.