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THE ORIGINS OF ASHKENAZIC JEWRY IN GERMANY

INTRODUCTION

The majority of Jews in the world today who identify themselves as Ashkenazic Jews¹ are those Jews whose forefathers in the 9th century concentrated themselves primarily in Germany and Northern France and later in the 13th century moved eastward to Austria, Bohemia, Hungary, Poland and Lithuania. This paper will examine the historical development of Jewish life on German soil during the early period.

The roots of Jewish settlement in Germany can be traced back to the early centuries of the common era. There is evidence that Jews lived as a community in Germany during the first quarter of the fourth century. In edicts that were issued by Constantine in the years 321 and 331 — and were incorporated into the Theodosian Code — the emperor addressed himself to the prefect of Cologne concerning the obligatory participation of Cologne Jewry in municipal offices, and the liberation of the Jewish communal officers from personal services. On the basis of these decrees, we conclude that there was an organized Jewish community flourishing in Cologne before that period of time, involving one or more synagogues, with attendant religious and communal functionaries.²

Nor was Cologne the only German city in which Jewish life flourished. Mainz, for example, must have had Jewish settlers in the days of the Roman hegemony. R. Jacob Molin (Maharil), the great authority of 15th century Ashkenazic Jewry, informs

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us that in the cemetery of Mainz he had come upon a monument of a Jewish servant girl which had been erected eleven hundred years before. It is probable that other Jewish communities were to be found along the Rhine and the Meuse, as well as the Danube, in such places as Augsburg, Regensburg, and the area around Vienna.³

With the destruction of the Roman Empire, however, it appears that all these Jewish enclaves disappeared. While the possibility of the continuity of Jewish communities in this period cannot be ruled out, it is highly improbable that Jewish communities of any numerical significance existed in this area. Certainly, documentary evidence of organized Jewish life on German soil does not re-appear until the Carolingian epoch when Jews were invited by Charlemagne to settle in Germany. Who were these Jews who moved into Germany and Northern France? What were their origins and their roots, and how did they develop?⁴

I

The ancestors of Ashkenazic Jewry were a highly homogeneous group who lived apart from other Jews for almost two thousand years. During this period of time they forged their distinctive heritage and tradition into a dynamic instrument which played a decisive role in the life of the individual and the community.

It is clear that there was no mass migration of Sephardic Jews into the countries where Ashkenazic Jews lived throughout the mediaeval period. We do not, for example, encounter even a single mention in mediaeval rabbinic literature of a clash of custom between native and immigrant Jews. This clash would have been inevitable if, in fact, this kind of immigration had taken place. Jews have always jealously guarded their rituals and their *minhagim*, their customs and usages. Whenever a number of Jews migrated from one country to another they brought with them their individual customs in ritual and law; and, eventually, these *minhagim* affected the religious practices of their adopted land. Nowhere do we find evidence of such a

manifestation in the history of the mediaeval Jewish community in Germany. While there was a small number of Jews of Spanish origin who migrated to lands populated by Ashkenazic Jews it was not of sufficient number to have any impact.

There is no history, for example, of any difficulties in any of the Ashkenazic communities with regard to Hebrew pronunciation. This problem did occur, however, in 16th century Italy following the arrival of masses of Jews from the Iberian Peninsula. In addition, we find that, in the decision-making process, the Sephardic scholars are not mentioned significantly by Ashkenazic authorities, as if Sephardic scholarship did not exist. It may very well be that the Ashkenazic scholars did not feel the need to use the rulings of the Sephardic rabbis because their communities were basically without Sephardic Jews, and they felt a sense of self-sufficiency in transmitting their own scholarly heritage. Under these circumstances, the decisions of Sephardic savants were not relevant to the accepted norms and usages of Ashkenazic Jews.

The forefathers of these Ashkenazic Jews were, in the main, that group of Jews which lived in the western Roman Empire — probably the activist and idealistic group of Judean Jews who were carried off by the Roman legions during the wars which ended in the years 70 and 135 C.E. They were, quite naturally, that element which possessed the greatest sense of loyalty to the land and to the faith of their fathers.

This highly dedicated and culturally advanced group went through a further process of selection between the 4th and the 8th centuries. During this period, they had to resist the unrelenting attempts of the Christian Church to convert them, as well as the invasion of the Barbarians, who wrought the greatest havoc in the cities where Jews had their largest concentrations. Obviously, only the most dedicated survived as Jews. Consequently, the approximately ten thousand Ashkenazic Jews who lived in Northern France and Germany in the 9th century were the descendants of those Jews who had undergone the process of "purification."

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II

The Ashkenazic Jews living in pre-Crusade Europe were a unique people. They were highly literate and thoroughly conversant with Jewish law and its implications, and they transmitted this law orally from generation to generation. Their decrees, ordinances, traditions and customs were probably more authentic than those of their Sephardic brethren. R. Asher B. Yechiel, a student of R. Meir of Rothenburg and a leading rabbinic authority in Spain, was able to tell his Spanish respondents that

the sages of Germany received their traditions as a direct inheritance transmitted from father to son from the days of the destruction of the Temple.⁶

The scholarship of the Jews in the Rhine communities was on a high level and encompassed a large portion of the population. This was true to such a degree that

towards the end of the 10th century two outstanding scholars of Germany stated generally that in the average community, the members of the upper scholarly class outnumbered those of the lower class.⁷

It was these Jews who were invited originally to settle in Germany by Charlemagne — most probably in order to develop the commercial enterprises of his empire. The role of the merchant was vital in a feudal system, and the identification of the Jew with commerce goes back at least to the 8th century, if not earlier. A study of the increasing number of references to the Jews as merchants, which are found in the records of the European chanceries from the 8th century onwards, leads to the inescapable conclusion that the terms “Jew” and “merchant” were used quasi-synonymously; that the picture conveyed by the term “Jew” was at this time “merchant.”⁸

In order to bring these Jews into their orbit, the Carolingians, and the rulers and dukes who succeeded them, offered them certain economic and religious “privileges.” There have been preserved three charters which Louis the Pious granted some

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time before 825, to individuals and groups of Jews. In these charters the life and possessions of these Jews were placed under the protection of the emperor. They were assured of

security against molestation, liberty of movement and freedom of commerce throughout the imperial dominions, exemption from arbitrary tolls and levies by subordinate officials, and equitable procedure in any lawsuit in which the holder should be involved.

Contrary to ecclesiastical demands, Jews were permitted to employ free Christians, and their right to engage in the lucrative slave-trade was guaranteed.⁹

Twelve years before the Crusades the competition to entice Jews into various German communities, in order to stimulate their commercial development, was still going on. In 1084, Rüdiger, the Bishop of Speyer, offered them a series of privileges to induce them to settle in his city. They were permitted to move freely throughout the city as well as at the port on the Rhine. They could, for a small annual quit-rent, acquire property on his land. He gave them a cemetery of their own and, in violation of a cardinal provision of canon law, he permitted the Jews to employ Christian nurses and male servants. In addition, he allowed them to sell to Christians wine, medicine, and even meat which was ritually forbidden to Jews. In order to secure the Jewish community, he provided them with a separate district surrounded by a wall which they had to maintain, guard and defend.¹⁰

II

Above all, the Jews sought and received the right to internal self-government, to adjudicate their own litigations, and to live in accordance with Jewish law. They were willing to pay for the right of settling in a community and to engage in business with the local inhabitants but they refused to give up their personal freedom to become part of the feudal system. Charlemagne granted the Jews the right to settle all disputes amongst themselves in accordance with Jewish law. In his privilege of 1084, Bishop Rüdiger of Speyer permitted the Jews the right

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of exclusive jurisdiction in legal disputes between Jews. In the privileges which Emperor Henry IV extended to the Jews of Speyer and Worms, this was pointed out with greater clarity:

Jewish litigants shall be convicted and judged by their equals and not by others . . . according to their own law.¹¹

But all of this was destined to come to a tragic end. The Jews of Germany, who had long been spared overt persecution, were dealt a blow in the year 1096 from which they never fully recovered. The Crusades, and the persecutions which followed, created havoc with the Jewish communities of the Rhineland; and the Black Death, in effect, dealt the final blow. By the end of the 15th century the center of Ashkenazic Jewry had shifted from Germany to Poland. It was there that Ashkenazic Jewish life was to rise to even greater heights.

NOTES

1. In contrast to the Ashkenazim, the Sephardim, the other group which makes up the Jewish people, were centered primarily in the Iberian Peninsula. As Jews living in the Moslem world, they drew their spiritual sustenance from the traditions of Babylonian Jewry. After the expulsion of the Jews from Spain and Portugal in the years 1492 and 1498 respectively, these Jews were scattered throughout the southern and eastern Mediterranean seaboard.

2. Cf. G. Kisch, *The Jews in Mediaeval Germany* (Chicago, 1949).

3. See Rabbi Jacob Molin, *Sefer Maharil* (Sklow, 1796), p. 86; R. Straus, *History of Jews in Rensburg and Augsburg* (Philadelphia, 1939), pp. 87 and 171.

4. I have basically adopted the approach developed by Dr. Irving Agus as the most plausible explanation of the background and the history of this remarkable Jewry. Cf. Agus, *Rabbi Meir of Rothenberg* (Philadelphia, 1947), and *The Heroic Age of Franco-German Jewry* (New York, 1969).

5. There are three different theories on this subject. One theory is that the Ashkenazic pronunciation developed in later times. A second position contends that both pronunciations are simply the continuation of the ancient pronunciations which were in use in the Holy Land and in Babylonia. The third school of thought maintains that the Ashkenazic pronunciation originated in the land of Israel while the Sephardic pronunciation was produced by the Jews in Spain. Cf. H. J. Zimmels, *Ashkenazim and Sephardim* (London, 1958), pp. 82ff.

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6. See Rabbi Asher ben Yechiel, *Responsa* (New York, 1954), XX, 20.
7. See *Kol Bo* (Lemberg, 1860), no. 142.
8. Cf. J. Parkes, *The Jew in the Mediaeval Community* (London, 1938), p. 44. In a later age, the word "Jew" was destined to become synonymous with "moneylender."
9. Cf. Baron, *op. cit.*, pp. 48-49.
10. J. Aronius, *Regesten*, no. 168. Cf. also Baron, *op. cit.*, IV, 74.
11. Cf. Aronius, *op. cit.*, no. 170; Agus, *Rabbi Meir of Rothenberg*, pp. 56 and 61-67.