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Christian Wilhelm von Dohm, *Concerning the Amelioration of the Civil Status of the Jews* (1781)

Christian Wilhelm von Dohm (1751-1820), who distinguished himself in Prussian diplomatic and other administrative service, achieved European fame with this essay, which greatly influenced the emergent political process of “Jewish emancipation,” both in Germany and elsewhere. Arguing from the Enlightenment premises of universal Natural Rights and religious toleration, Dohm sought to counter then-current anti-Jewish prejudices by highlighting the negative environmental conditions under which Jews had long been forced to live. Opening agriculture and, especially, the artisan trades to the Jews would, Dohm held, counteract the effects of their overconcentration in the spheres of commerce and finance. Not wishing to inspire defensive reactions among Christian officials, Dohm cautioned against immediately opening up public-sector positions to Jewish applicants. Though he anticipated Jewish assimilation into Christian society, he did not suppose that the Jewish religion would wither away.

Concerning the Amelioration of the Civil Status of the Jews

Christian Wilhelm von Dohm

The great and noble business of the Government is to mitigate the mutually exclusive principles of all these varied groups so that they will not harm the greater union which comprises all of them, so that the separateness will incite only greater activity and competition, not antipathy and withdrawal, so that all the single notes are dissolved in the great harmony of the state. The Government should allow each of the special groups its pride, and even its harmful prejudices, but should endeavor to instill in each member a greater love of the state. This great goal is achieved, if the nobleman, the peasant, the scholar, the artisan, the Christian and the Jew consider their separateness as secondary, and their role as citizen, primary. Thus the citizens of the great states of antiquity were not divided because of divergent beliefs in various gods. They were patriots first. And so today, on the other side of the ocean, Catholics, Episcopalians and Puritans are fighting together for the new state which is to unite all of them, and for freedom and justice to be enjoyed by all of them. And so we, too, in some European countries already see the citizens united in harmony for the pursuit of happiness in this life, even though they seek the happiness of a future life on different paths. So, even if actually in the faith of today's Jews there should be some principles which would restrict them too strongly to their special group and exclude them from the other groups of the great civil society; this would still not justify their persecution – which can only serve to confirm them in their opinions – so long as their laws are

not contrary to the general principles of morality and do not permit anti-social vices. The only business of the government in this case would be (1) to have an exact knowledge of those principles, or indeed only the conclusions drawn from religious principles, and the actual influence of these on their actions, and (2) endeavor to weaken the influence of these principles, by general enlightenment of the nation, by furthering and advancing its morals independently of religion, and, in general, further the refinement of their sentiments.

More than anything else a life of normal civil happiness in a well ordered state, enjoying the long withheld freedom, would tend to do away with clannish religious opinions. The Jew is even more man than Jew, and how would it be possible for him not to love a state where he could freely acquire property and freely enjoy it, where his taxes would be not heavier than those of the other citizens, where he could reach positions of honor and enjoy general esteem? Why should he hate people who are no longer distinguished from him by offensive prerogatives, who share with him equal rights and duties? The novelty of this happiness, and unfortunately, the probability that this will not in the near future happen in all states, would make it even more precious to the Jew, and gratitude alone would make him the most patriotic citizen. He would look at his country with the eyes of a long misjudged, and finally after long banishment, re-instated son. These human emotions would talk louder in his heart than the sophistic sayings of his rabbis.

Our knowledge of human nature tells us that conditions of this our actual life here have a stronger influence on men than those referring to life after death. History proves also that good government and the prosperity all subjects enjoy under such a government weaken the influence of religious principles and abolishes the mutual antipathy which is only nourished by persecution. The belief of the Quakers seems to contain teachings which are obviously contrary to a general union of all in the state and which seem to make its adherents incapable of acting as good citizens. The defense of the state against attacks which endanger its existence is one of the first duties of each member of civil society. The Quaker negates this and affirms that he knows no motive which would allow him to fight. The oath seems to be one of the most essential supports that the state expects from religion; only by it, one believes, the loyalty of the subjects can be secured, only by it is an irrefutable judgement possible in lawsuits concerning their lives and possessions. The Quaker refuses to take an oath. Besides, he is against the generally acknowledged rules of accepted behavior and accentuates this by peculiar customs and different garb. And yet the Quakers and Mennonists are known as good and useful citizens in all states where they have been received. The Catholic seems by his dogmas, even more than adherents of other faiths, justified in exclusive opinions, since he regards his religion as the only and absolutely necessary condition for salvation and is charged with the duty to spread his belief. Still, Catholics are very good and patriotic citizens in England, Holland, Prussia and Russia. So are the Lutherans in Alsace, the Reformed and Socinians in Siebenburgen. So were the Moslems formerly in Spain before they were driven out by an unenlightened zealotism, and they still are today in the Austrian and Russian states. The Jews, too, were very loyal subjects of the Roman empire under the heathen as well as under the first Christian emperors. They were allowed to live according to their own laws and they had other special privileges. And in

the present time, although they have enjoyed very few of the benefits of citizens in any of the states, they have already in many cases proved their warm sympathy for the welfare of these states, and have demonstrated patriotic readiness for sacrifice in danger. Certainly, also the Jew will not be prevented by his religion from being a good citizen, if only the government will give him a citizen's rights. Either his religion contains nothing contrary to the duties of a citizen, or such tenets can easily be abolished by political and legal regulations.

One might oppose to all these reasons the general experience of our states of the political harmfulness of the Jews, intending to justify the harsh way our governments are dealing with them by the assertion that the character and spirit of this nation is so unfortunately formed that on this ground they cannot be accepted with quite equal rights in any civil society. Indeed, quite often in life one hears this assertion that the character of the Jews is so corrupt that only the most restricting and severest regimentation can render them harmless. To these unfortunates, it is said, has been transmitted from their ancestors, if not through their most ancient Law, then through their oral tradition and the later sophistic conclusions of the rabbis, such a bitter hatred of all who do not belong to their tribe, that they are unable to get used to looking at them as members of a common civil society with equal rights. The fanatic hatred with which the ancestors of the Jews persecuted the founder of Christianity has been transmitted to their late posterity and they hate all followers of this faith. Outbreaks of this hatred have often shown themselves clearly unless held in check by force. Especially have the Jews always been reproached by all nations with lack of fairness and honesty in the one field in which they were allowed to make a living – commerce. Every little dishonest practice in commerce is said to be invented by Jews, the coin of any state is suspect if Jews took part in the minting, or if it went frequently through Jewish hands. One hears also in all places where they were allowed to multiply in numbers, the accusation that they monopolize almost entirely the branches of trade permitted to them and that Christians are unable to compete with them in these. For this reason, it is further said, the governments of nearly all states have adopted the policy, in an unanimity from which alone it can be concluded that it is justified to issue restrictive laws against this nation and to deviate, in its case alone, from the principle of furthering a continuous rise in population. They could not concede to these people who are harmful to the welfare of the rest of the citizens the same rights, and had to adopt the stipulation of a certain amount of property for those permitted to settle down, as guarantee for compliance with the laws and abstinence from criminal activities.

If I am not entirely mistaken there is one error in this reasoning, namely, that one states as cause what in reality is the effect, quoting the evil wrought by the past erroneous policy as an excuse for it. I may concede that the Jews may be more morally corrupt than other nations; that they are guilty of a proportionately greater number of crimes than the Christians; that their character in general inclines more towards usury and fraud in commerce, that their religious prejudice is more antisocial and clannish; but I must add that this supposed greater moral corruption of the Jews is a necessary and natural consequence of the oppressed condition in which they have been living for so many centuries. A calm and impartial consideration will prove the correctness of this assertion.

The hard and oppressive conditions under which the Jews live almost everywhere would explain, although not justify, an even worse corruption than they actually can be accused of. It is very natural that these conditions cause the spirit of the Jew to lose the habit of noble feelings, to be submerged in the base routine of earning a precarious livelihood. The varied kinds of oppression and contempt he experiences are bound to debase him in his activities, to choke every sense of honor in his heart. As there are almost no honest means of earning a living left to him it is natural that he falls into criminal practices and fraud, especially since commerce more than other trades seduces people to such practices. Has one a right to be surprised if a Jew feels himself bound by laws which scarcely permit him to breathe, yet he cannot break them without being punished? How can we demand willing obedience and affection for the state from him, who sees that he is tolerated only to the extent that he is a means of revenue? Can one be surprised at his hatred for a nation which gives him so many and so stinging proofs of its hatred for him? How can one expect virtue from him if one does not trust him? How can one reproach him with crimes he is forced to commit because no honest means of earning a livelihood are open to him; for he is oppressed by taxes and nothing is left him to care for the education and moral training of his children?

Everything the Jews are blamed for is caused by the political conditions under which they now live, and any other group of men, under such conditions, would be guilty of identical errors. For those common traits of thought, opinions and passions which are found in the majority of people belonging to one nation and which are called its individual character, are not unchangeable and distinctive qualities stamping them as a unique modification of human nature. As it has been clearly recognized in our time, these are influenced by the climate, the food, and most of all the political conditions under which a nation lives. If, therefore, the Jew in Asia is different from the Jew in Germany, this will have to be regarded as a consequence of the different physical environment. If, however, in Cracow as well as in Cadiz he is accused of dishonesty in commerce, this must be a consequence of the oppression to which he is subjected equally in the most distant parts of Europe. The accusation that today's Jews even now regard the Christians with the fanatic hatred which caused some of the ancestors eighteen centuries ago to crucify Jesus, hardly deserves a serious reply. Only in barbarian times could the distant descendants in France and Germany be punished for a crime committed many centuries ago on the Asiatic coast of the Mediterranean. It is a fact that the mutual antipathy of the two religious groups which have a common origin has persisted longer than the philosophic mind would guess and desire after such a long time. But just that is the fault of the governments which were unable to reduce the friction between the religious principles separating them and could not incite in the hearts of Jews and Christians alike a patriotic feeling which should long ago have abolished the prejudices of both groups. These were Christian governments, and we therefore can not deny, if we want to be impartial, the reproach that we have contributed the greater part to the hostile feelings of the two groups. We were always the rulers, and therefore it would have been up to us to induce the Jew to feel humanly by proving that we have such feelings ourselves. In order to heal him of his prejudices against us we first have to get rid of our own. If, therefore, those prejudices today prevent the Jew from being a good citizen, a social human

being, if he feels antipathy and hatred against the Christian, if he feels himself in his dealings with him not so much bound by his moral code, then all this is our own doing. His religion does not command him to commit these dishonesties, but the prejudices which we have instilled and which are still nourished by us in him are stronger than his religion. We ourselves are guilty of the crimes we accuse him of; and the moral turpitude in which that unfortunate nation is sunk – thanks to a mistaken policy – cannot be a reason that would justify a continuation of that policy. [. . .]

The Jews of each state are already more at home there than strangers can become in a long time. They know no other fatherland than the one given to them now and do not long for a far-away homeland. They are not uncivilized and savage gypsies, nor ignorant and unmannerly refugees. Many of them in every state have the same property, and many more have excellent gifts of intellect and skill. If it is permissible to draw conclusions from the majority of a nation about its essential qualities, no one can deny that the Jews possess excellent intelligence, industry, and the capability to adjust to all kinds of situations. If Jews are made use of in public business, one is almost always very satisfied with their zeal and sagacity. Their luck in commerce and manufacture is well known, and often those who envy them ascribe to fraud what is only a consequence of their greater industry and application. Where they are allowed to be artisans and workers, they usually do excellent work. The oppression under which they have lived until now is at fault if they have not done more in the sciences and fine arts; they certainly do not lack the capability. Most of those who occupied themselves with these interests have made good progress, even if they are not known to the public like a Moses Mendelssohn and a Pinto.

Among their greater merchants one finds perhaps more broad view and skill in coordination, and among their common people, more intelligence and industry than among an equal number of Christians. As regards the moral character of the Jews, it is like that of all men: capable of the most lofty development and of the most unfortunate deterioration, and as I remarked already, the influence of the external environment is quite clearly visible. If one admits however, that Jews are in certain points morally corrupt, the impartial observer has to admit that their fine traits show even greater excellence in other points. I dare to count as a fine trait of the Jewish character the steadfast adherence to the Law given to their fathers by the Deity himself, and I hope to have in this, the agreement of all who do not demand that they should share with them the belief of their childhood, and who are not so hampered by the prejudices of their upbringing that they cannot be just toward these same prejudices in others. What seems clear and undeniable to the Christian looks dark and contradictory to the Jew; what the Christian calls blindness and stiff-necked stubbornness to the Jew is steadfast adherence to what he believes to be a divine Law. And if we want to be impartial, can we blame him if he remains for so long steadfast and faithful to the truth as he sees it, until he finds the happiness to be convinced of a better truth, a happiness which according to the unanimous teachings of Christians and philosophers nobody can bring about by himself, and which according to Christian teaching is portioned out from above? The faithful adherence to principles one holds to be true is the measure of a man's moral worth, and who can deny honor to the Jew, whom no torture can

make eat what he thinks God himself has forbidden him, and who despises the low renegade, who for financial profit tears himself away from the holy faith of his youth, from his relatives and from his people, and who debases the holy faith of the Christians by professing it without being convinced of its divine truth.

This adherence to the ancient faith of their fathers alone gives the character of the Jews a firmness, which is also very advantageous for the formation of their general morality. The strict observation of many burdensome commandments and customs nourishes, it is true, a certain pettiness, makes them set too much store in the observation of ceremonies, but on the other hand it keeps them from many misdeeds, and in general prepares them for a more precise fulfillment of their duties.

A very happy influence on the moral character of the Jews has been their closeness and segregation, forced on them in part by their strange religion, and in part by oppression. Their almost equal fate has linked all Jews so closely with one another that they share in the fate of their fellow Jews with much more interest than is possible in a more numerous nation. Nowhere are their poor a burden on the state; they are taken care of by the prosperous among them and the whole community takes sympathetic interest in the affairs of the individual. The Jews seem to enjoy the bliss of domestic life with more simplicity than is at present usual, at least in big cities. Most of them are good husbands and fathers. Luxury has with them not yet reached the stage as with Christians in similar circumstances. The purity of their marriages is greater, crimes of unchastity, especially perversities, are much rarer. Almost never has a Jew committed treachery or a crime against the state. Almost everywhere they are devoted to the country in which they live, if only they are not treated too badly. In danger they have shown a zeal which one would not have expected from members of society who are so little favored.

In contrast to these fine traits of the Jewish character are the exaggerated love of the nation for every kind of profit, usury, and crooked practices; a fault which is nourished in many by their exclusive religious principles and rabbinic sophistries, and more still by Christian oppression and the antipathy against other religions which they are taught. Breaking of laws which limit trade, import or export of contraband merchandise, forgery of mint or precious metals, are natural consequences of this character trait; and in almost all modern states the Jews are accused of these. But, as I remarked already, all these crimes do not stem from the national character of the Jews, but from the oppressed state in which they live, and are in part consequences of the profession to which they have been restricted exclusively.

There is no record that Jews did all these things as long as they lived in their own state and as long as their only occupation was agriculture; nor during the period when they, dispersed over the whole Roman Empire, enjoyed all human and civil rights. Only from the time on when one began to deny them those rights and forced them, so unpolitically, to live on commerce alone did crookedness and usury become more and more apparent as special traits of the Jewish character.

Every kind of occupation and trade has some special effects on the way of thinking and the moral character. One of the strangest differences of these effects lies in the fact that some ways of earning a living always yield equal profit regulated by the natural scope of the occupation, while others, depending more on chance, sometimes offer great advantages, sometimes threaten great loss. The first type requires a permanent, quiet activity, a manner of work which once understood does not tax the mind and becomes purely mechanical, and the result of which is rarely uncertain; the latter necessitates continuous alertness and the utilization of changing conditions, speculations, and planning for the future. Its success can almost never be predicted with certainty. Industry alone is of little avail if not assisted by intelligence and good luck, and the latter sometimes is alone responsible. These differences and their influence on the character are very clearly apparent in the diverse occupations of the artisan, the farmer, and the merchant. The first always has the equal occupation, the moderate but certain profit, which I described. In most of the common crafts the manner and volume of work and of selling are regulated so precisely and uniformly that few changes and expansions are taking place. Most places have as many shops as are necessary to supply their demands, and therefore the artisan sells just enough to cover the needs of an artisan and his family who are accustomed to moderate nourishment. Their income is secure and permanent.

As long as his industry continues equally, he neither has to fear impoverishment nor can he hope to better himself. According to this income which the artisan can easily and with certainty figure out in advance, he makes the little budget for his household and as a rule his calculations are correct. If he works diligently and well, he will usually soon succeed in making a comfortable living, and often a good and abundant one relative to his class, and he will when he dies leave to his children a fortune which will suffice to establish them just as well as their father. In this manner well-to-do, sometimes even wealthy families of artisans are founded, which continue through many centuries, until they, blind to their fortunate lot, move into a so-called higher estate, where their wealth is no longer wealth and their mode of living not according to the fashion, and where their principles are unknown, so that often the descendant of wealthy craftsmen perishes as a bankrupt merchant or a starving scholar. In fact, the life of a skilled craftsman is perhaps the purest happiness to be found in our civil society. [. . .]

These faults caused specifically by the occupation of commerce must appear much more strongly and strikingly in the Jewish than in the Christian merchant. The latter have mainly by virtue of their education a higher sense of honor than the oppression of their nation and their poverty allow the Jews. An additional reason is that in Christian families there is seldom only one kind of occupation through the generations, so that the principles of various kinds get mixed and modify each other. The Jews, however, have been forced for many centuries now to live on commerce exclusively. Is it surprising that the spirit of this occupation became entirely their spirit and by long heredity has gained strength and now determines so much more the faulty formation of their character? Love of profit must be much more vivid in the Jews because it is the sole means of survival for them; the little business tricks must be more known to them since they have been practiced so long. Usury and unfair profits must be considered more permissible by them because all branches of their trade were heavily taxed, so that regular profits would not

have sufficed to pay all these fees. Logically the soul of the young Jew must be entirely conditioned to desire profit in commerce when he notices early in life that this is the only way for him to make a living, since his parents and all other Jews of his acquaintance know no more plentiful theme for conversation than their trade. One has to consider that of necessity an occupation which for more than a thousand years was the only one carried on by a nation must have had a one-sided influence on its character and must have transmitted with the most powerful intensity faulty impressions to its character.

If this reasoning is correct, then we have found in the oppression and in the restricted occupation of the Jews the true source of their corruption. Then we have discovered also at the same time the means of healing this corruption and of making the Jews better men and useful citizens. With the elimination of the unjust and unpolitical treatment of the Jews will also disappear the consequences of it; and when we cease to limit them to one kind of occupation, then the detrimental influence of that occupation will no longer be so noticeable. With the modesty that a private citizen should always show when expressing his thoughts about public affairs, and with the certain conviction that general proposals should always be tailored, if they should be useful to the special local conditions in every state. I dare now, after these remarks, to submit my ideas as to the manner in which the Jews could become happier and better members of civil societies.

To make them such it is FIRST necessary to give them equal rights with all other subjects, since they are able to fulfill the duties they should be allowed to claim the equal impartial love and care of the state. No humiliating discrimination should be tolerated, no way of earning a living should be closed to them, none other than the regular taxes demanded from them. They would have to pay all the usual taxes in the state, but they would not have to pay protection money for the mere right to exist, no special fee for the permission to earn a living. It is obvious that in accordance with the principle of equal rights, also special privileges favoring the Jews -- which exist in some states -- would have to be abolished. These sometimes owed their existence to a feeling of pity which would be without basis under more just conditions. When no occupation will be closed to Jews, then they should, in all fairness, not have a monopoly on any occupation in preference to other citizens. When the government will decide to fix the rate of interest by law, the Jew will not be able to ask for any more than the legal rate of interest. If it will be prohibited to private citizens to lend money on pawns, or do so only under certain conditions, the Jews will have to observe these rules.

SECOND. Since it is primarily the limitation of the Jews to commerce which has had a detrimental influence on their moral and political character, a perfect freedom in the choice of a livelihood would serve justice, as well as representing a humanitarian policy which would make of the Jews more useful and happier members of society.

It might even be useful, in order to achieve this great purpose, if the government would first try to dissuade the Jews from the occupation of commerce, and endeavor to weaken its influence by encouraging them to prefer such kinds of earning a living as are most apt to create a

diametrically opposed spirit and character – I mean artisan occupations. The sedentary way of life and the quiet industry exacted by these are contrary to the restless wanderings of the Jewish trader; the peaceful enjoyment of the present, the contentment with small gain are contrary to his greed for profit and his speculation on the ups and downs of the money market. At the same time the heavy physical labor and more substantial nourishment of the artisan will have beneficent effects on his physical constitution; the mechanical skill will call forth new talents; the uniformity of the work, the moderate financial success, will bring the Hebrew closer to the respectable citizen and inhabitant of our cities. Besides, the transition to artisan would be comparatively the easiest to make for the great mass of Jews, since it requires no great education nor substantial fortune. It is my opinion, therefore, that the great purpose of the government would be achieved with the utmost certainty if it encouraged the Jews to become artisans. The government could justly require that a Jewish father with several sons allow one of them to become an artisan. It could decree that not more than a certain number of Jewish merchants should reside in any one place, or that those beyond a certain number should pay an extra tax which could be used to subsidize and encourage Jewish artisans. [. . .]

NINTH. The written laws of Moses, which do not refer to Palestine and the old judicial and ritual organization, as the oral law are regarded by the Jews as permanently binding divine commandments. Besides, various commentaries to these laws and argumentations from them by famous Jewish scholars are held in the same respect as laws. Therefore, if they are to be granted full human rights, one has to permit them to live and be judged according to these laws. This will no more isolate them from the rest of the citizens of the state than a city or community living according to their own statutes; and the experience made with Jewish autonomy during the first centuries in the Roman Empire as also in some modern states has shown that no inconvenient or detrimental consequences are to be feared. Although this does not necessarily mean that the laws should be administered by Jewish judges, this would always be more agreeable to them and would avoid many difficulties arising from ignorance of the complicated Jewish jurisprudence in Christian judges which requires the knowledge of the Hebrew language and Rabbis. It would therefore be better to leave litigations between Jew and Jew in civil cases to their own judges in the first instance, but also to permit the Jews to start court proceedings at the court of the regular Christian judges. These as well as the higher instances to which Jews might appeal from the decision of the Jewish judge, would of course have to decide according to Jewish laws; [. . .]

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