

Cambridge University Press

978-0-521-48396-4 - The Damascus Affair: "Ritual Murder," Politics, and the Jews in 1840

Jonathan Frankel

Excerpt

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## 1

*Introduction: Crisis as a factor in nineteenth-century Jewish history*

In February 1840 an Italian monk and his servant disappeared in Damascus. The charge of ritual murder was brought against a large number of Jews in that city and they were declared guilty. News of the case spread across the Middle East, Europe, and the entire Western world. It grew into a cause célèbre. Adding to the uproar was the fact that a parallel case erupted in the region almost simultaneously, on the island of Rhodes. As diplomats and governments found themselves entangled in the Damascus affair, it became a marginal but complicating factor in the international conflict that during the year produced one war in the Middle East and threatened another in Europe. Jews in many countries groped for ways to cooperate in order to rescue the surviving prisoners in Damascus and to save their own good name.

In the late spring and throughout the following months, the affair produced an explosion of polemics, speculation, fantastic theories, and strange projects. The most respected newspapers in England, France, and Germany assigned it endless space. Did the Jews really practice ritual murder and human sacrifice? Perhaps, indeed, they did. What kind of people was this which had survived almost two thousand years in exile, expelled from one country to another, dispersed across the globe? Was it possessed of a special destiny, providential or sinister, part of some divine pattern or satanic mystery?

Seen within the context of Jewish history during the nineteenth century – or, more exactly, between 1815 and 1914 – the Damascus affair was, of course, no isolated incident. It was one of the many sudden attacks that from time to time broke in upon the otherwise relatively regular life of the Jews in an era free of prolonged and general wars. These crises served as the counterpoint to the basic themes that are often described as dominant in the Jewish history of the period. They provided the moments of sudden discontinuity at a time when long-term patterns of development were steadily transforming traditional ways of life.

In Western and Central Europe, the social trends that can conveniently be subsumed under the term *modernization* – acculturation (sometimes leading

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to assimilation, sometimes not); secularization (sometimes producing a religious reform movement, sometimes not); emancipation, the grant of equal civil rights (sometimes sooner, sometimes later); urbanization; occupational diversification; upward social mobility (frequent, but by no means universal) – were clearly gaining momentum as the century wore on. This was the way “out of the ghetto,” to use Jacob Katz’s succinct idiom.<sup>1</sup>

While these same trends were evident in Eastern Europe, they were much less advanced by 1914 and were partly overshadowed by other long-term political and sociological developments: the denial of equal rights; a population explosion outpacing economic opportunity; and the consequent mass emigration.<sup>2</sup> Not surprisingly, it was in Eastern Europe that such observers as Moshe Leb Lilienblum and Lev Pinsker would eventually (in 1881–2) produce the argument that the periodic crises which interrupted the day-to-day patterns of Jewish life were not aberrations, the final thrashing of a dying past, but on the contrary were symptomatic of the modern era. For them, it was the lightning produced by these periodic storms that illuminated the true situation of the Jewish people in their time.<sup>3</sup>

Abrupt upheavals, particularly wars and revolutions, have always attracted the close attention of historians, and this is no less true of those studying Jewish history. But for the student of the political history of the Jews in the nineteenth century, the crises that had specifically Jewish issues at their epicenter are of particular interest. Lacking a state, a government, a parliament, and an army of their own, they were long reluctant to form political organizations or to undertake coordinated political action. This was particularly true in the decades prior to 1860, when the traditional forms of Jewish autonomy had largely atrophied or been abolished, while the modern political organizations, movements, and parties so familiar by 1914 still had to be formed.

To ascertain the extent of solidarity among the Jews at the time, the political means that they were able and prepared to use, the degree of their influence, their standing in public opinion, their own (often conflicting) aspirations, and the projects (benevolent or malevolent) proposed to (or for) them by others, there is no choice but to turn to those moments when the Jews found themselves under severe attack. It was then that forces normally dormant exploded into view; each such episode is to the historian what an earthquake is to the seismographer.

<sup>1</sup> I.e.: Katz, *Out of the Ghetto*.

<sup>2</sup> On the socioeconomic development of East European Jewry and the emigrations, e.g.: Kahan, *Essays*, pp. 1–127; Lestschinsky, “Jewish Migrations.”

<sup>3</sup> For the ideas of Lilienblum and Pinsker (1881–2), e.g.: Frankel, *Prophecy and Politics*, pp. 85–7, 115; Hertzberg, *The Zionist Idea*, pp. 166–98; Vital, *The Origins of Zionism*, pp. 111–32.

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Speaking in broad terms, it is possible to divide the periodic crises that broke in upon the Jews into four types. Each case, after all, belonged not only to its own time and place, but also to a distinct tradition with its specific modes of discourse and action.

Most immediately terrifying for the victims, and extremely dangerous in the long run, were the eruptions of mass violence against the Jews. Particularly notorious among such episodes were the attacks in a number of German states in 1819 (known as the "Hep! Hep!" riots); in Romania in 1866; and in the tsarist empire in 1881–2, 1903, and 1905–6.<sup>4</sup> (These latter outbursts, indeed, were so destructive that they introduced the Russian term *pogrom* into the everyday vocabulary of the Western world.)

Less obviously dramatic, but liable to cause as much or more long-term distress, were government laws and administrative decrees. In the first half of the century, initiatives of this kind taken against the Jews were justified variously in the name of legitimacy and the restoration of the ancien régime, necessities of state, and enlightenment. In the later decades, such steps answered to a (would-be) populist admixture of nationalism and Christianity. The cases that drew the most attention were the decision of 1815 to permit the individual German states to roll back rights granted during the revolutionary and Napoleonic era; the tsarist decree issued in 1843 to expel Jews from a broad swath of land, one hundred versts wide, on the Lithuanian frontier; the repeal of recently made concessions in Romania (once more in 1866); the May Laws of 1882 in Russia; and the expulsion of Jews from Moscow in 1891.<sup>5</sup>

Distinct again were the emergence, the sudden growth, or the resurgence of anti-Jewish agitation, organizations, movements, and parties. In this case, the impact made by Stöcker, von Schönerer, Wilhelm Marr, and their organizations in Germany and Austria during the years 1878–80, and by the so-called Black Hundreds movement (particularly the Union of the Russian People) in the tsarist empire during the years 1905–6, proved to be especially alarming to Jews at the time.<sup>6</sup>

Finally, we come to the judicial arena: the courts, criminal cases, and legal conflicts. Undoubtedly, the most sensational of all such instances in this category was the Dreyfus affair which, of course, divided French society,

<sup>4</sup> On 1819: Katz, "Pra'ot 'Hep! Hep!"; Sterling, "Anti-Jewish Riots"; on Romania (1866–7): Iancu, *Les Juifs en Roumanie*, pp. 63–85; on the pogroms (1881–1906): Klier and Lambroza, *Pogroms*, pp. 39–289.

<sup>5</sup> On the Congress of Vienna (1815) and the Jews: Baron, *Die Judenfrage*; on the tsarist decree of expulsion (1843): Stanislawski, *Tsar Nicholas I*, pp. 175–6; Frankel, "The Russian-Jewish Question"; on the May Laws (1882): Berk, *Year of Crisis*, pp. 72–6.

<sup>6</sup> For the upsurge of anti-Semitic agitation in Germany and Austria (1878–82), e.g.: Pulzer, *The Rise of Political Anti-Semitism*, pp. 72–101, 142–7; Massing, *Rehearsal for Destruction*, pp. 21–47.

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thrusting it into a bitter struggle for a decade or more. But a great stir was also made in its own time by the Mortara case of 1858 (which involved the right of the Catholic Church in the papal states to take possession of any Jewish child once it had been baptized behind its parents' backs and on the initiative of a midwife, nurse, or maid).<sup>7</sup>

Falling into this category, too, were the many criminal investigations and trials in which Jews were accused of ritual murder. Probably the best-known of such events in the period under discussion here was the Beilis trial held in Kiev in 1913. Among contemporaries, especially the Jews in the countries involved, though, the cases of Tisza-Eszlar in 1882 (in Hungary), of Xanten in 1891 (in Prussia), and of Polna in 1899 (in Bohemia) engendered hardly less tension.<sup>8</sup> The Damascus affair of 1840, as already noted, caused an extraordinary sensation in its own time.

In reality, these four kinds of crisis (however distinct they might be as ideal-types) usually tended to overlap. Laws against the Jews, and still more the repeal or rejection of laws in their favor, were often preceded by noisy agitation or even mob violence. Although governments often hastened to suppress riots, at times they defended the rioters; on occasion, the army actually took an active part in pogroms. Trials involving ritual murder (or treason) were sometimes the consequence of pressure from below and sometimes of initiatives launched from above; but, in either case, they stirred up angry forces calling for revenge.

Beyond such taxonomical issues, it is worth noting, too, that the scale, the danger, of a given eruption bore no necessary relationship to the volume of noise that it produced at the time. And as for its long-term impact on future historical developments, its place in the collective memory, and the weight assigned it by the historians (which are three very different things, of course), they, too, were the product of multiple variables.

Thus, for example, two tragic developments in tsarist Russia – the ritual murder case in Velizh, which began in 1823 and was only settled in 1835; and the Cantonist policy involving the mass recruitment of Jewish children into the armed forces, which began in 1827 – were hardly reported abroad. Both issues had the potential, in the abstract, to become major causes célèbres, but that potential was not realized because of the closed nature of the Russian state at the time, the pervasive fear implanted in the population, and the inexperience of the Jews in the West, who were still not attuned to handling such cases.

Or, to take another instance, the wide-scale violence against the Jews in Central Europe that took place during the years 1848–9 attracted relatively little attention at the time (and has only recently been given due weight by

<sup>7</sup> There is no full-scale study of the Mortara case, but see: Korn, *The American Reaction*.

<sup>8</sup> See chap. 16, nn. 1 and 71.

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historians),<sup>9</sup> presumably because its impact was muffled by the revolution and by the hopes of imminent emancipation. A similar syndrome worked to lower the profile of the October massacres in 1905 – again during revolution. To this day, it is the Kishinev pogrom, which involved far less loss of life but took place in 1903 when there were no such distractions, that is popularly remembered.

Similarly, timing was a crucial factor in deciding which crises were to exert a decisive influence on the development of modern Jewish history. The Mortara case, objectively only one in a succession of such instances of legalized child abduction, served as a direct factor in the establishment in 1860 of the Alliance Israélite Universelle, the first international organization committed to Jewish self-defense. The pogroms of 1881, which were far less violent than those soon to come, did much to inspire the creation of the first proto-Zionist movement and thus marked a major historical turning point. And the Dreyfus affair is credited with having accelerated Herzl's decision to follow a similar path in the West fifteen years later.

Of course, the ultimate outcome of these three eruptions was, in part, the culmination of political, institutional, and perceptual processes that had long been at work within the Jewish world. They by no means represented examples of *creatio ex nihilo*. Yet the catalytic effect of the crisis was an essential factor in producing that ultimate synthesis that in each case would prove to be so significant.

The crucial element at work here was extreme shock. Thus, the year 1858, when the Mortara case took place, was very close to what is often considered the high-water mark of nineteenth-century liberalism – the prestige of England with its constitutionalist, free-trade, and laissez-faire ideas had never been greater – and nonetheless it turned out that a Jewish child in Italy could be forcibly taken from his parents, and nothing could be done to retrieve him. (Edgardo Mortara ended up as a Catholic bishop.) The Russia of 1881 had long passed the heady days of Alexander II as the Tsar-Liberator, but nobody had anticipated the outbreak of pogroms on a massive scale, still less the general tendency in the country to blame them on the victims rather than on those committing the violence. And the same sense of shock, of certainties betrayed and of expectations dashed, marked the Dreyfus affair, which took place, after all, at the end of the nineteenth century, in France, the motherland of revolution and the declaration of human rights.

The tumult produced in 1840 by the Damascus case is also to be explained in large measure by this same shock effect. To the Jews it seemed unbelievable that widespread credence should be given to the charge of ritual mur-

<sup>9</sup> On the 1848 revolutions and the Jews, e.g.: Baron, "The Impact"; idem, "Aspects of the Jewish Communal Crisis"; Toury, *Die politischen Orientierungen*, pp. 47–109; idem, *Soziale und politische Geschichte*, pp. 277–313.

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der. For its part, what can loosely be termed public opinion in Europe (and overseas) responded with astonishment as Jews eventually organized forceful measures in their own defense. This disbelief, the cognitive dissonance, provoked unanticipated reactions on all sides and these in turn produced a maelstrom of excitement, polemic, exercises in millennial speculation, and posturing.

It has to be remembered that for some twenty years before 1840 the Jews in Europe and the world at large had been very much out of the limelight. Their sudden appearance on center stage could therefore easily be interpreted as a phenomenon of exceptional, perhaps metaphysical or supernatural, importance. This was, after all, a period when the religious revival in Europe was still at its postrevolutionary (or restorationist) and pre-Darwinian height.

By far the greatest number of Jews at that moment were to be found as subjects of Nicholas I. The Vienna settlement of 1815 had bestowed most of what had been the Polish state, with its huge Jewish population, on Russia. To say that the Jews there were shut behind an iron curtain would be no great exaggeration. There was communication with the West, but the Jews in the tsarist empire had as yet sought neither to engage outsiders in their own problems nor to involve themselves in affairs beyond the frontiers of the state.<sup>10</sup> A phrase more familiar from our own day was applicable then too. As far as the outside world was concerned, they were still, in great part, "the Jews of silence."

In contrast, the particular combination of circumstances prevailing in Central Europe and Italy could well have brought Jewish issues into great prominence – or so it would appear at first glance. True, the Jewish population in that area was much smaller. While in 1840 there were, perhaps, some 2 million Jews in the Russian empire, the number in the Habsburg realms was closer to eight hundred thousand, in the states of the German Confederation (sans Austria) about three hundred thousand, and in the Italian states (again the Austrian area excepted) some thirty thousand.<sup>11</sup> But there, in marked opposition to Russia, the hand of the state did not lie so heavy and public issues could be discussed and debated, albeit not everywhere and only within the confines of an often strict censorship. And the question of emancipation for the Jews was highly controversial.

Moreover, in Central Europe, again in contrast to Russia, the Jewish population had in its ranks men such as Gabriel Riesser, who were well capable of championing the case for equal rights. Since 1837 a number of Jewish weeklies devoted to news, comment, and scholarship had been found-

<sup>10</sup> E.g.: Stanislawski, *Tsar Nicholas I.*

<sup>11</sup> These figures are extrapolations from the very approximate estimates for 1825 and 1850 in Lestschinsky, "Die Umsiedlung," p. 132.

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ded. Processes of acculturation were far advanced, at least at the elite level; German had replaced Yiddish to a large extent; and many (including an entire generation of rabbis) had graduated from high school and university. Whenever proposals came up here or there to modify laws directed against the Jews, furious public debates, accompanied by vocal popular resistance, became the order of the day – and Jewish spokesmen played their part in the flurry of opinion.<sup>12</sup>

However, there were thirty-nine German (and more than a half dozen Italian) states and each one had its own particular laws and regulations laying down what was and what was not permitted to its Jewish subjects. Even within a given state, different provinces and different cities had their own particular rules.

In the Prussian state, Posen in the east and the Rhine provinces in the west each had its system of laws and both differed from that in the historic heartland of the Hohenzollern kingdom. In some cities (Nuremberg and Lübeck, for example) Jews were simply forbidden to reside; in others (Frankfurt-am-Main, Dresden, Vienna) their numbers were strictly limited; in some, Jews could come and go freely as temporary visitors, while in others they were liable to expulsion before nightfall or after one or two days. The variety of special taxes and special oaths to which the Jews were subject also formed a patchwork quilt of incredible complexity.<sup>13</sup>

This system, which had been largely dismantled during the Napoleonic era, had become reentrenched since 1815 and was regarded by large parts of the population (including intellectuals of almost every stripe, burghers, and clergy) as hallowed by time, a part of the age-old order of things that had been successfully defended against the French invader. Thus, under the existing Vienna settlement – barring revolution or war – there was no reason to expect basic change in any but the most minor states such as Hesse or Baden.

What this meant was that the Jews in Central Europe and in Italy felt themselves increasingly secure (some twenty years had passed since the "Hep! Hep!" riots), but the realization was dawning on them that they would have to await a radical transformation of the political climate in order to gain equal rights. An entrenched status quo had placed Jewish issues in the shadows even in this era marked by highly tangled relationships between the Jews and their neighbors. Under these circumstances, the energies and

<sup>12</sup> On the profound divisions and furious controversy caused by the issue of Jewish emancipation in Germany, e.g.: Katz, *From Prejudice to Destruction*, pp. 51–104, 147–220; Sterling, *Judenhass*, pp. 74–129.

<sup>13</sup> For the legal position of the Jews in the German states in the late eighteenth century: Mahler, *A History of Modern Jewry*, pp. 129–46; and post-1815: Rürup, "Jewish Emancipation," pp. 74–82.

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talents of young intellectuals involved in Jewish life were naturally channeled into the relatively apolitical areas of scholarship (*Das Wissenschaft des Judentums*) and theology. Those few firebrands who insisted on pursuing oppositional politics often chose to abandon Judaism for a nominal Christianity and anyway tended to end up abroad, as did both Börne and Heine, who settled in Paris.

In Western Europe, the status of the Jews appeared to be totally different from that prevailing in the German, Italian, and Russian states. In France, Jews had enjoyed equal rights since 1791; those rights had been somewhat limited in the 1808–18 period, but since 1830 formal equality had been total. Jewish religious institutions, like those of the Church, were financed in large part by the state. The administrative system set up by Napoleon to run those institutions – the network of central and regional consistories<sup>14</sup> – was designed to insure a large measure of state control and to discourage any form of autonomous political activity.

The Jewish population was small, perhaps sixty thousand in all; and as most of the Jews were concentrated in Alsace-Lorraine, their presence in numerical terms could hardly have been felt elsewhere in France. In Paris, Jews had become prominent in the fields of banking and high finance (the Rothschilds, Foulds, Goudchaux), as well as in the intellectual and artistic life of the city.<sup>15</sup> As yet, however, this development had not become a matter of major controversy. It was not until January 1840 that the first Jewish weekly was founded and its title, *Archives Israélites*, accurately reflected its editor's belief that the political battles of French Jewry were a matter of the past.

In Holland, where some fifty thousand Jews lived, and in Belgium, where there were only a few thousand, equal rights had likewise been an established fact since the revolutionary and Napoleonic period. And the situation was not radically different in England, where the Jewish population at the time was no more than twenty or twenty-five thousand.

It is true that since the emancipation of the Catholics and Nonconformists in 1829, the Jews remained the only religious group in the United Kingdom denied the right to sit in Parliament and to hold important public office. This issue had produced some major debates in both the House of Commons and the House of Lords. Lobbying on this issue, though, had been left by the Jewish community largely to the private initiative of such prominent individuals as Sir Francis Goldsmid. The self-declared representative body of that community, the Board of Deputies of British Jews, had chosen to deal with

<sup>14</sup> For a description and analysis of the consistorial system: Albert, *The Modernization of French Jewry*, pp. 45–76.

<sup>15</sup> On the Jews of Alsace, e.g.: Hyman, *The Emancipation*; and on the emergent centrality of the Paris community: M. Graetz, *Haperiferyah hayetah lemerkaz*, pp. 36–74.

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the emancipation issue in only desultory ways. It is safe to say that, in general, the duties that it had assigned to itself up until 1840 were of the most perfunctory kind.<sup>16</sup>

Finally, in North America and the West Indies, the number of Jews was still infinitesimal. In the United States, there were some fifteen thousand Jews in this period. They had equal rights and hardly stood out in the medley of different denominations and sects, both old and new.<sup>17</sup> It was symptomatic that in none of the Western countries (France apart) was there a Jewish periodical press in 1840.

In sum, the Jewish people was little prepared, whether in psychological, political, or institutional terms, to grapple with the Damascus affair. In the tsarist empire, the Jews were very numerous, but isolated; in Central Europe and Italy, they were scattered over dozens of states, had no centralized institutions, and found themselves in a state of limbo, encouraged to modernize their way of life but facing closed doors at every turn. In the West, for the most part, emancipation was a fact, but their numbers were minuscule and the future of their communities in the face of rapid acculturation in doubt.

Moreover, it was almost one hundred years since the last time a crisis of such dimensions had forced itself on the consciousness of the Jewish people. The expulsion of the Jews from Prague in 1745 (like that from Vienna in 1669–70 and from Ancona in 1555) had provoked an energetic response from Jews more securely situated elsewhere.<sup>18</sup> Lobbying on an international scale eventually generated enough pressure then to bring about modifications in the draconian policy proclaimed by Maria Theresa. That episode, though, was not recalled in 1840.

Europe – or, more specifically, France, Germany, and England – constitutes the focal point of this book. It was there that the Damascus affair evolved into a struggle for public opinion, meaning not only the newspaper readership, but also the broader populace that was likewise influenced, through word of mouth and rumor, by the press. Without the open controversy possible only in constitutional and semiconstitutional states, the affair would have been decided locally, leaving the Damascus case perhaps no better known than that of Velizh. The press and the politics of newspaper publication, therefore, occupy a central place in this study.

Nonetheless, if it was Europe that brought the affair under a powerful

<sup>16</sup> On the Board of Deputies, see chap. 6, n. 47.

<sup>17</sup> For two recent books on the Jews in nineteenth-century America: Diner, *A Time for Gathering*; Marcus, *United States Jewry*.

<sup>18</sup> On the expulsions from (1) Ancona: Roth, *Dona Gracia*, pp. 134–75; (2) Vienna: Wertheimer, *Die Juden in Oesterreich*, vol. 1, pp. 123–32; (3) Prague: Mevorah, "Ma'asei hahishtadlut."

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microscope, magnifying its significance many times over, the cases themselves – the alleged murders, the investigations, the imprisonments – were still played out in the Middle East (in the "Orient" or the "East," as the region was known at the time). True, even there, both in Damascus and in the parallel case at Rhodes, a major role was played by the consuls and the great powers, but it would certainly be a mistake to treat the affair simply as an extension of European politics. The indigenous forces – the government authorities, popular sentiment (Muslim, and still more Christian), and the Jews themselves – were all independently and actively involved. Some words must, therefore, also be said about the situation of the Jewish people in the Ottoman empire at the time.

Like the Polish-Lithuanian state, the Turkish sultanate had provided the Jews, virtually expelled from most of Europe by the early sixteenth century, with a crucial place of refuge, and a large number of immigrants from the Iberian peninsula had thus been added to the Jewish communities already living in the Islamic world. In 1840, even if one subtracts North Africa (sans Egypt) and the Danubian principalities of Moldavia and Wallachia (soon to become independent Romania), there still remained perhaps three hundred thousand Jews under at least nominal Ottoman sovereignty, with some half in the Balkans and Constantinople; the rest in the Asiatic part of the empire.<sup>19</sup> Fulfilling many important functions in finance and international trade, the Jewish elites had long exerted considerable political influence, but their relative standing was in decline by the mid-nineteenth century, rendering them potentially more vulnerable to the arbitrary violence then endemic to vast regions of the empire.<sup>20</sup>

Complicating the situation of the Jews in 1840 still further was the fact that for close to ten years the empire had been divided *de facto*, although not *de jure*, into two halves. The viceroy of Egypt, Muhammed Ali, had conquered greater Syria (including Palestine) in 1831–3, leaving the Sultan in control, often tenuous, only of his European possessions, most but not all of Anatolia, and the Bagdad region.

This meant that when the ritual-murder crisis erupted, Damascus and Rhodes were to be found, although nominally in the same state, actually divided by a hostile frontier. Rendering the situation still more complex was the fact that the European powers took different sides in the dispute between Turkey and Egypt. It became impossible for the Ottoman Jews to pool their resources in a fully effective way. The story of the ritual-murder cases in 1840 was, thus, from the first, not only a tale of two cities (Damascus and

<sup>19</sup> For estimates of the Jewish population in the Ottoman empire: Barnai "Hayehudim baim-peryah ha'otomanit," pp. 196–209; Lestschinsky, "Die Umsiedlung," p. 132.

<sup>20</sup> Among recent books on Ottoman Jewry, e.g.: Braude and Lewis, *Christians and Jews*; Shaw, *The Jews of the Ottoman Empire*; Weiker, *Ottomans, Turks and the Jewish Polity*.