

# The Expulsion of the Jews from Prague (1744-1748): Legal and Historical Perspectives

 by Monika Czernin







# The Story - and a few questions

**December 18, 1744: Maria Theresa**, shortly before the birth of her 7th child, issues an order that strikes like thunder in the Habsburg Empire and is echoed throughout Europe. **All Prague Jews are to leave the city.** After centuries of anti-Jewish persecution in Christian Europe, the expulsion of the Jews from Prague is the last act of terror against Jews in Old Europe decreed by a ruler before the Holocaust.

A countdown begins, a battle in which half of Europe stands up for the Jewish inhabitants of Prague. For the first time the unjust order of a monarch leads not only to the outcry of a few, but to a modern protest campaign.

What drives Maria Theresa to this seemingly medieval act?

What were her motives?

What consequences does the expulsion have for the Jewish community?

What is the impact of the protest campaign and is it successful?



# The Film



The film (an **international co-production for ORF, ARTE, BR, Czech TV**) premiered on ORF shortly after the **Hamas attack on 7 October**, which underlined the topicality of the subject in a particularly tragic way.

Many people were surprised because - and this is an interesting fact - they knew so little or nothing about the Jewish history of Europe before the Holocaust.

In this film, I show the long tradition of Christians and Jews living together in Europe, as well as the anti-Jewish sentiment in Western Christian civilisation.

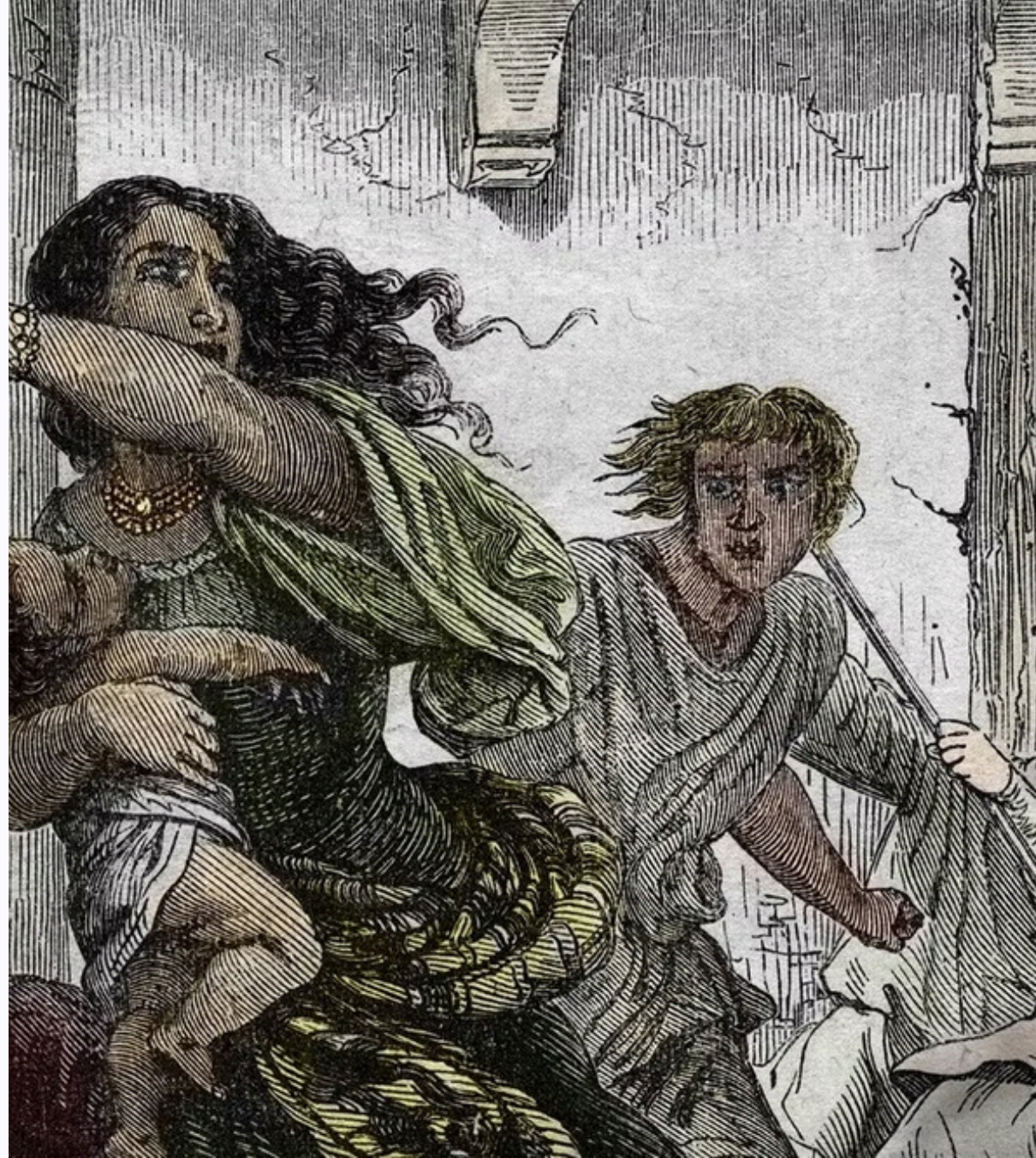
In a sense, anti-Judaism is inscribed in the DNA of the Christian West. So it is hardly surprising that the subject is so topical.

# The Book

In the **book (I am currently writing)** I will use both novelistic and documentary passages, as in my previous books on Emperor Joseph II and Anna Sacher.

I believe that the emotional dimension of the subject will be much better understood if the reader identifies with the protagonists and immerses himself in the period of the expulsion.

Also, as we shall see, academic historians cannot answer some of the main questions of the subject. This is a **great opportunity for a novel.**



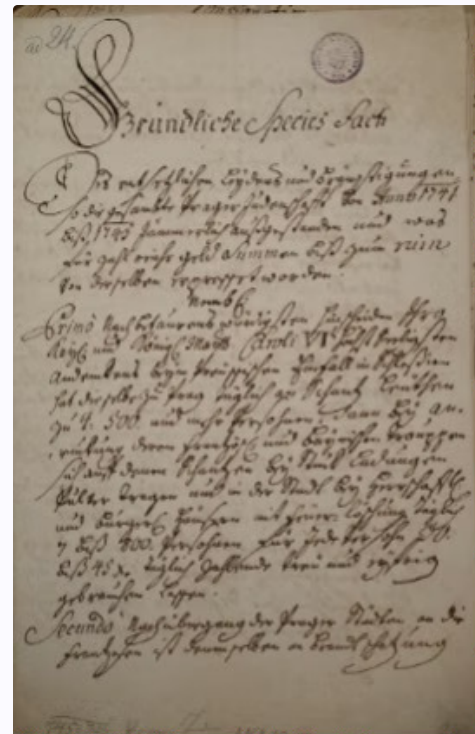


# The Sources (a few examples for primary sources)

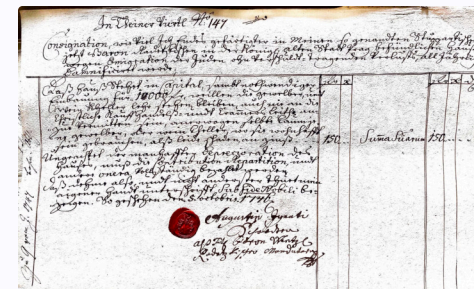
## Letters to/from Wertheimer

Salomon Hugo Lieben,  
Briefe 1744–1748 über die  
'Austreibung der Juden aus  
Prag', in: Jahrbuch der  
Gesellschaft für Geschichte  
der Juden in der  
Čechoslovakischen  
Republik, 4 (1932), S. 353–  
479.

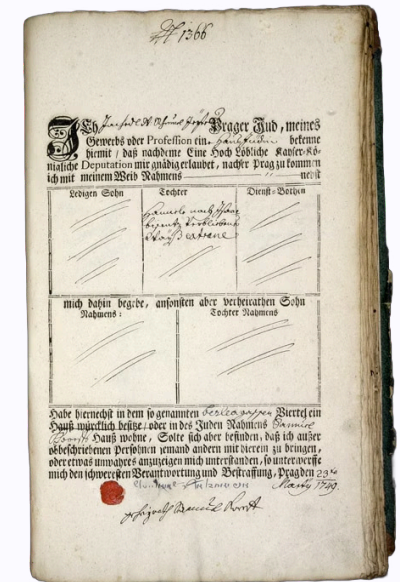
## HHSTA



## State Archives Prague



## Jewish Museum Prague



There is a story behind the **Letters to/from Wertheimer**: Wolf Wertheimer, the initiator of the protest campaign, kept all the letters and copied his own letters exactly. Somehow, in the 1920s, this jumble ended up in the newly established Jewish Museum in Prague. Salomon Lieben, the director and archivist, transcribed all the letters and translated them from Hebrew into German. Thank God, because the original letters were lost in the 1930s.

It is only because of this coincidence that we are so well informed about this historic event.



# The Jewish Community in Prague

The so-called "Zierlicher Auszug", today exposed in the Jewish museum in Prague



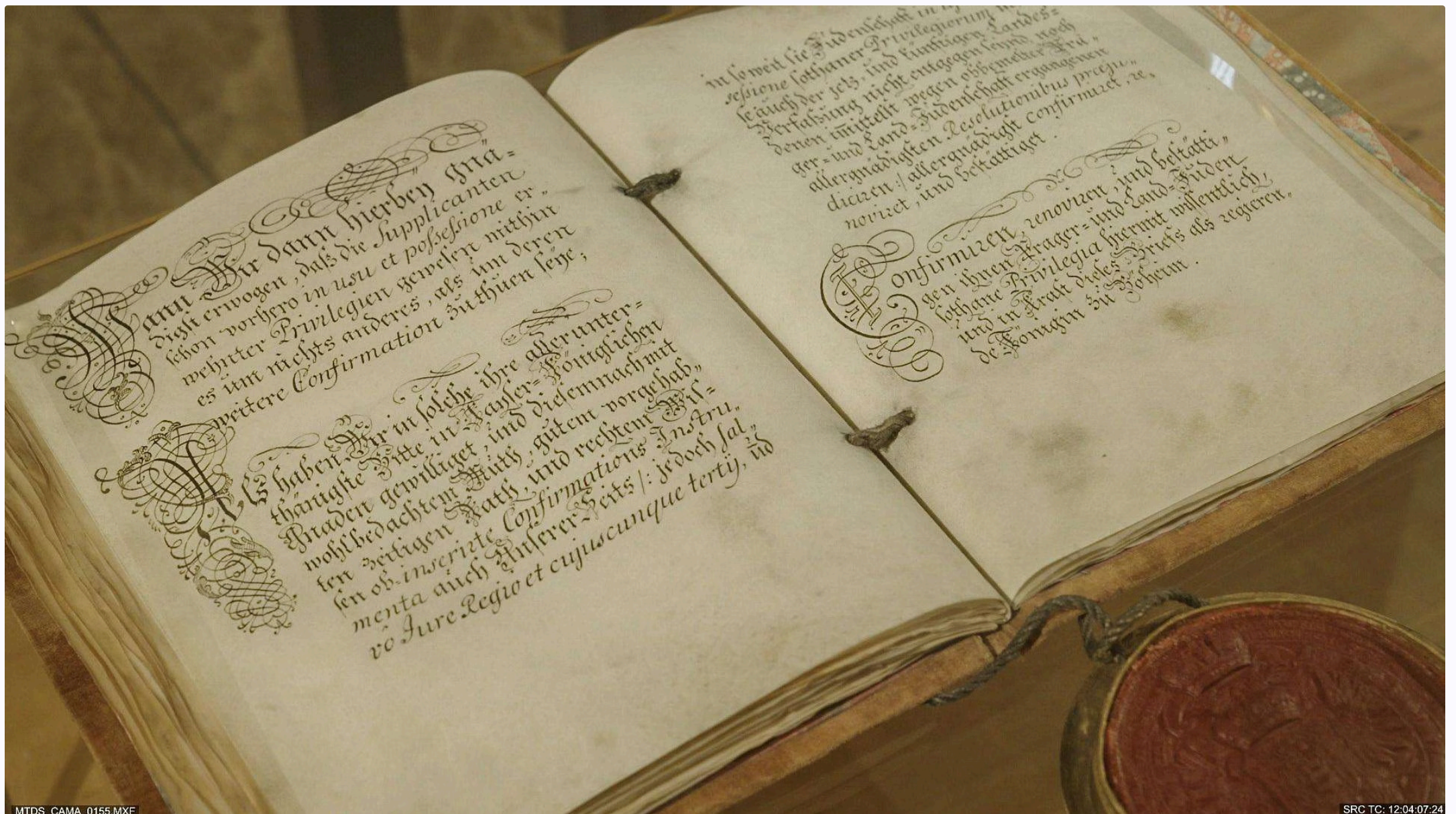
This picture is the so-called '**Zierlicher Auszug**', an engraving made by the community leader **Simon Frankel in 1744** of the procession of Prague Jews on the occasion of the baptism of Joseph II in 1741. An important document, because it shows a large, proud, prosperous community.

The **Jewish community of Prague was the largest and one of the oldest communities in Europe** (Amsterdam, London were also large) (Constantinople was even larger). But in Prague a quarter of the population was Jewish at that time.

Unlike in the rest of the Holy Roman Empire, the Jews of Prague had many privileges and were allowed to work not only in trade and finance, as everywhere else, but also as craftsmen. The privilege granted by Rudolf II in 1577 even allowed the Jews to settle in Prague forever.



# Expulsion and Return



## The Expulsion in March 1744 and June 1746

Despite the protest campaign, Maria Theresa remained merciless and inflicted senseless suffering on **10,000 Jews who were forced to leave Prague in March 1744** (and again in June 1746).

## The Return in summer 1748

BUT: Unlike the expulsion of the Protestants from Salzburg in 1731 (and other examples), **the Jews of Prague were allowed to return in the summer of 1748.**

They had to pay a toleration tax of 300,000 gulden (which was a lot), the Jewish town was looted, but they got their houses back and rebuilt them with the Christian community of Prague.

## The Future of the Jewish Community

In the 1750s, the Jewish community became one of the most important in Europe again, with its famous leader Rabbi Ezechiel Landau.

**In 1755, Maria Theresa renewed the privileges** of the Jewish community in Prague (see picture above)



# Historical Context and Chronology of events





# The Europe-Wide Campaign Against the Expulsion

In my book I am trying to reconstruct the network behind the campaign. In doing so, I hope to paint a picture of Jewish life throughout Europe in the mid-18th century.

1

## Initiation by Prague's Jewish Community

The campaign began with **urgent appeals from Prague's Jewish leaders**, who mobilised their network by writing letters f.e. to Augsburg and Fürth.

2

## Role of Wolf Wertheimer and Diego Aguilar

In Augsburg, the renowned court factor **Wolf Wertheimer** used his extensive **connections with Jewish communities throughout Europe**. And later, in 1745, he used his connections with the **European nobility** when peace talks between Bavaria and the Habsburgs were held in Füssen.

**Diego d'Aguilar**, a Sephardic Jew from London and court banker to Maria Theresa organised the campaign in Vienna, contacting, among others, the **British and Danish envoys, the Jewish communities in Italy**, who then contacted even the Pope.

3

## Diplomatic Pressure on Maria Theresa from the Christian elite in Europe

Various European courts, influenced by Jewish advocates and economic concerns, exerted **diplomatic pressure on Maria Theresa** to reconsider the expulsion.







# Was the jewish campaign successful?

This is a hotly debated question among scholars.



## Yes

The campaign **reached an enormously large and influential group of people**, the kings of England and Denmark, the archbishops of Mainz and Cologne, even the Pope. This in itself was a great success.

In **May 1745, part of the edict was revoked**: The expulsion of the Jews from Bohemia, which had been part of the Edict, was postponed for the next 6 years. (It is not clear why, one can only speculate that it had something to do with the peace talks in Füssen).



## No

The campaign **failed** because Maria Theresa did not repeal the edict.



# Economic Consequences of the Expulsion

## The Harrach Commission

In 1746, the **economic consequences of the expulsion began to be felt**. This also strengthened the opponents of the expulsion order in the Viennese government.

A **commission under Count Ferdinand Harrach** was set up to meticulously analyse all sectors of the Bohemian economy and **calculate the economic damage**.

What they saw: Members of every economic sector and all tradesmen were dependent on Jewish money and products.

The report lists the losses of

Bakers, millers, carpenters, soap makers, couriers. This report is basically an Excel spreadsheet from the early modern period.

## Haugwitz Tax reform

To make matters worse, Maria Theresa's chancellor, **Count Friedrich Wilhelm von Haugwitz**, arrived in Prague.

The **estates were to pay higher taxes**. After the War of the Austrian Succession, Maria Theresa needs money - around five million florins. But the nobility refused to pay - unless the Jewish population of Prague was allowed to return.



# Legal Implications of the Expulsion

## Violation of International Law

What is not often mentioned in academic articles are the legal aspects of expulsion and return.

But **Stephan Wendehorst**, a legal historian, has written about this in his article: ***Religious Rights between International Law and Constitutional Law***.

Following Wendehorst's argument, I argue that Maria Theresa's decree was not only economically disastrous, but also a clear break with established legal norms, especially with eighteenth-century international law.

Wendehorst argues that by disregarding the privileges granted to the Jews of Prague, Maria Theresa violated existing protections and international agreements.

The English King George II even argued the legal aspect in his protest to Vienna.

Wendehorst even goes so far as to argue that a violation of international law was the reason why the Jews were allowed to return to Prague in 1745.



# Legacy and Historical Significance



For the first time, as political scientist **Shlomo Avineri** has said, **European Jews acted as a people, albeit without a state.**

The campaign thus had the effect of **increasing the self-confidence** of the Jewish community in Prague before the age of religious tolerance.

It remains to be seen whether the revocation of the edict was due to negative economic consequences or to the violation of international law that the campaign brought to the attention of Maria Theresa.