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# The Foreigner in Our Midst: Jewish Rights Debates in Revolutionary France

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HST 3000: Introduction to Historical Analysis, Fall 2023

Nominated by: Dr. Sean Pollock

## Author notes:

The debates surrounding Jewish rights during the French Revolution concerned many of the same subjects that divide the Western world today. The fear of the other, immigration as a political tool, and the disagreements over assimilation are all subjects which feature prominently today. In this essay I set out to explore these debates while fairly assessing the historical informants. Beyond gaining a greater understanding of the period, writing and revising this essay improved my ability to write clearly and effectively. I am grateful to Dr. Pollock for his dedication to his students as well as his continual guidance.

## Faculty notes:

Having demonstrated impressive powers of analysis in class discussions, Will Evans in this essay also showcases his ability to make sense of complex historical events with elegant style. From the essay's first words, the reader is transported back to a time when ideas concerning reason and natural rights were being worked out in ways that would first transform enlightened minds and empower marginalized communities in Revolutionary France, and that would later shape thinking about universal human rights globally. Evans handles these weighty matters with a light touch, grounding claims in evidence cogently presented with clarity and concision, while sacrificing none of the events' complexity.

## The Foreigner in Our Midst: Jewish Rights Debates in Revolutionary France

“Reason,” Voltaire wrote in his *Treatise on Toleration*, “slowly, but infallibly, enlightens men.”<sup>1</sup> Twenty-six years later, in the Autumn of 1789, the National Assembly ratified the *Declaration of the Rights of Man and Citizen*. This document codified Enlightenment values such as natural rights, freedom of the press, and freedom of religion. According to the *Declaration*, “No one should be disturbed for his opinions, even in religion...”<sup>2</sup>

Despite a prevailing commitment to religious pluralism, the Jews of France still lacked the political rights to vote or hold public office. As historian Ronald Schechter wrote in his study of French Jews in the eighteenth-century, before the French Revolution, it was generally agreed that Jews be “passive citizens ... protected by the state but not [granted] political rights.”<sup>3</sup> French Jews faced unique, structural disadvantages in French society. However, “by the 1780s,” historian Lynn Hunt writes in her documentary history of the Revolution and human rights, “enlightened opinion had begun to consider some kind of reform of the Jews’ situation.”<sup>4</sup> The Catholic prohibition on usury (the lending of money at interest) combined with severe limitations on the kinds of professions available to Jewish people made Jews the de facto investment lenders of France. This fact, as well as the perception that Jews were a wholly separate nation within France, forced Jews into a societal position that induced hostility from the majority Catholic population. The animosity and prejudice directed toward the Jews of France, as well as the irreconcilable differences between Catholicism and Judaism, informed the struggle for Jewish rights.

The subject of Jewish rights in France provoked fierce debates during the French Revolution. French Jews sought legal citizenship, including property rights, the right to vote, and equal treatment under the law. Many agreed, arguing that one’s religious beliefs should not prevent citizenship. Zalkind Hourwitz, a Jewish writer, encouraged the French public to extend civil and political rights to Jews, while also encouraging his fellow Jews to assimilate into French society. Other liberals, such as Count de Clermont Tonnerre, endorsed multiculturalism by arguing that rights be granted to Jews irrespective of Jewish cultural or religious differences. On the other hand, many people believed that Jews living in France should be content with their existing privileges within their self-governed communities. Abbé Maury, for example, echoed common Catholic sentiments in his stern dismissal of Jewish suffrage. Jews were considered by many to be a state and a people unto themselves, existing inside the nation of France, and extreme antisemitism was not uncommon in eighteenth-century France. I argue that French Jews were granted citizenship because they overcame widespread prejudice through reason, relinquished certain group privileges, and embraced the Enlightenment ideals of liberty and equality.

The French Revolution owed its successes to many people, living and dead, and to the idea that unmerited rights belonged to all men. Denis Diderot, a French philosopher writing in 1755, assembled a document which attempted to define “natural law.” According to Diderot, “you have the most sacred *natural right* to everything that is not disputed by the rest of the species.”<sup>5</sup> Diderot defined “rights” as a function of the “general will” of people in the context of “one

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<sup>1</sup> Voltaire, “Treatise on Toleration,” 1763, in *The French Revolution and Human Rights: A Brief Documentary History*, ed. Lynn Hunt, 1<sup>st</sup> ed. (Boston: Bedford/St. Martins, 1996), 38.

<sup>2</sup> “Declaration of the Rights of Man and Citizen,” August 26, 1789, in *The French Revolution and Human Rights*, 79.

<sup>3</sup> Ronald Schechter, *Obstinate Hebrews: Representations of Jews in France, 1715-1815* (London: University of California Press, 2003), 152.

<sup>4</sup> Hunt, *The French Revolution and Human Rights*, 8.

<sup>5</sup> Diderot, “Natural Law,” 1755, in *The French Revolution and Human Rights*, 37.

individual relative to another" and "of an individual toward (their) society."<sup>6</sup> Diderot concluded that all men are entitled to the same natural rights, and no individual could claim unique privileges. In 1763, Voltaire, a famous Enlightenment writer and defender of religious liberty, expressed these abstract rights in terms of non-Catholics. In his *Treatise on Toleration*, Voltaire used the language of natural rights to appeal on behalf of religious minorities in France. Voltaire insisted that non-Catholics asked for "only the protection of natural law," specifically, marital legitimacy, rights of inheritance, the safety of their children, and "the enfranchisement of their persons."<sup>7</sup> Voltaire argued the "right of intolerance [was] absurd and barbaric."<sup>8</sup> Rather, he appealed to a value of the Enlightenment as his guiding principle: reason. It was reason which prompted some Enlightenment thinkers to consider the plight of French Jews. When the debate about Jewish rights emerged in the National Assembly, the ideas advanced by Diderot and Voltaire featured prominently.

When Enlightenment thinkers declared that rights belonged to everyone, French Jews (and their allies) seized upon this opportunity to advocate for Jewish rights. In July of 1789, Marquis de Lafayette, a nobleman and a veteran of the American Revolutionary War, in concert with Thomas Jefferson, drafted the first model for what would become the *Declaration of the Rights of Man and Citizen*.<sup>9</sup> Lafayette argued, "Every man is born with inalienable and imprescriptible rights," which were, among others, "the right of property ... disposition of his own person, his industry, and all his faculties."<sup>10</sup> French Jews were particularly interested in property rights and the rights of industry because they had been legally restrained in both of these categories. A universal statement preceding the articles in *The Declaration*, reminiscent of the words written by Lafayette earlier that summer, proclaimed, "The representatives of the French people ... set forth in a solemn declaration the natural, inalienable, and sacred rights of man."<sup>11</sup> These same rights were expanded upon in *The Declaration of the Rights of Man and Citizen* in August of 1789. Article 10 declared, "no one should be disturbed for his opinions, even in religion."<sup>12</sup> *The Declaration*, affirming the rights of all people in the most extreme terms, irrespective of religion, became the most useful foundation for the advocacy of Jewish Rights. While most Enlightenment thinkers opposed religious persecution, many were concerned about the prevailing perception that Jews were, effectively, a separate nation within France. Even the strongest proponents of Jewish rights expressed concern about Jewish exoticism.

Demands for Jewish rights were sometimes accompanied by a critique of certain Jewish behaviors. In 1787, the French Royal Society of Arts and Sciences in Metz held an essay contest to ask how France's forty thousand Jewish residents might be made "happier and more useful."<sup>13</sup> Among the three winners was Zalkind Hourwitz, a Polish Jew living in the Metz. Hourwitz was a student of the Enlightenment and critical of Jewish religious authority. His disapproval of "the extensive powers exercised by Jewish leaders over their communities" echoed Voltaire's disapproval of religious extremism.<sup>14</sup> Hourwitz began by speaking directly to the French public. If you want Jews to be "happy and useful," he wrote, "stop making them unhappy and unuseful."<sup>15</sup> He laid the blame for Jewish discontent upon those who denied them "the right of citizens ... against all divine and

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<sup>6</sup> Diderot, "Natural Law," in *The French Revolution and Human Rights*, 37.

<sup>7</sup> Voltaire, "Treatise on Toleration," 1763, in *The French Revolution and Human Rights*, 39.

<sup>8</sup> Voltaire, "Treatise on Toleration," in *The French Revolution and Human Rights*, 40.

<sup>9</sup> "Marquis De Lafayette," July 11, 1789, in *The French Revolution and Human Rights*, 71.

<sup>10</sup> "Marquis De Lafayette," in *The French Revolution and Human Rights*, 73.

<sup>11</sup> "Declaration of the Rights of Man and Citizen," in *The French Revolution and Human Rights*, 77.

<sup>12</sup> "Declaration of the Rights of Man and Citizen," in *The French Revolution and Human Rights*, 79.

<sup>13</sup> Zalkind Hourwitz, "Vindication of the Jews," 1789, in *The French Revolution and Human Rights*, 48.

<sup>14</sup> Hourwitz, "Vindication of the Jews," in *The French Revolution and Human Rights*, 48.

<sup>15</sup> Hourwitz, "Vindication of the Jews," in *The French Revolution and Human Rights*, 49.

human laws and against your own interests.”<sup>16</sup> However, Hourwitz concluded his demand by addressing, and sometimes validating, stereotypes about Jews. “They must be accorded permission to acquire land,” Hourwitz argued, so that they would “no longer regard themselves as foreigners ...”<sup>17</sup> Jews must be allowed to “practice all of the liberal and mechanical arts and agriculture,” because this would reduce the number of “merchants ... knaves and rogues [among them].”<sup>18</sup> Hourwitz asserted that Jews must be permitted to “exercise every sort of commerce,” because it would “make their merchants more honest.”<sup>19</sup> He insisted that Hebrew and Yiddish-language contracts be legally prohibited and demanded that public schools should accept Jewish children. Several times over, Hourwitz referred to the “bonds” that might be formed between Jews and Christians if these reforms were enacted.<sup>20</sup> Indeed, Hourwitz believed that Jews would be more improved if the granting of rights were paired with a greater integration into French Society. Further, his dismissal of some Jewish customs as “irrelevant to their religion” and “superstition,” made Hourwitz a palatable Jewish advocate for a Catholic audience.<sup>21</sup> Hourwitz typified the compromise position of assimilationism.

Assimilationism was the belief that a group of foreign people would be better served by adopting many of the customs, beliefs, and habits of the native land which they occupied.

Furthermore, assimilationism also referred to the belief that cultural integration was a prerequisite for a foreign group to have any civil rights at all. This belief placed the overall harmony and utility of a society above any one set of cultural values or ethnic traditions. In his analysis of French universalism, Maurice Samuels described assimilationism as a tool of the revolution capable of creating “a nation of abstract and identical individuals, loyal to nobody but the state.”<sup>22</sup> Assimilationists argued that granting civil rights to Jews required that Jewish identity be subordinated to civic nationalism. Protestant appeals for rights, less burdened by such demands to assimilate, created unexpected opportunities for Jewish defenders.

In December of that year, a Bordeaux lawyer, Brunet de Lатуque, created an opening for Jewish advocates by proposing a decree “That *non-Catholics* ... can be elected to every level of the administration ... [and] are eligible for every civil and military post.”<sup>23</sup> A liberal noble deputy, Count de Clermont Tonnerre, seized upon this opportunity and made one of the most persuasive and impassioned arguments in favor of individual citizenship for Jews. Tonnerre presented a dichotomy to the National Assembly. “There is no middle way possible,” he insisted; France could “admit a national religion [and] subject all your laws to it ... or you permit everyone to have his own religious opinion, and do not exclude ... those who make use of this permission.” Tonnerre challenged the National Assembly to either admit Jews as citizens or relinquish a foundational principle of the Enlightenment: religious freedom. Unlike Hourwitz, Tonnerre was “far more accepting of ... Jewish ‘difference’”. Usury, he argued, became a Jewish industry primarily due to the church’s prohibition of the practice for Catholics. Tonnerre reasoned that the problem of usury could be remedied by the law, since it was the law which restrained Jewish ambition to the financial sector. He urged the National Assembly to “let [the Jews] have land and a country and they will loan no longer.” If some

<sup>16</sup> Hourwitz, “Vindication of the Jews,” in *The French Revolution and Human Rights*, 49.

<sup>17</sup> Hourwitz, “Vindication of the Jews,” in *The French Revolution and Human Rights*, 49.

<sup>18</sup> Hourwitz, “Vindication of the Jews,” in *The French Revolution and Human Rights*, 49.

<sup>19</sup> Hourwitz, “Vindication of the Jews,” in *The French Revolution and Human Rights*, 49.

<sup>20</sup> Hourwitz, “Vindication of the Jews,” in *The French Revolution and Human Rights*, 50.

<sup>21</sup> Hourwitz, “Vindication of the Jews,” in *The French Revolution and Human Rights*, 50.

<sup>22</sup> Maurice Samuels, *The Right to Difference: French Universalism and the Jews* (Chicago: University of Chicago Press, 2016), 17.

<sup>23</sup> “Brunet de Lатуque,” December 21, 1789, in *The French Revolution and Human Rights*, 84.

religious oddity was preventing the National Assembly from granting rights to Jews, Tonnerre argued, then they should prohibit those behaviors and grant political rights to all Jews. Tonnerre was unwilling to endorse the French suspicion of Jews. If some Jewish habit was creating discord, Tonnerre reasoned the state should forbid the habit rather than wield it against Jewish suffrage. This argument highlighted the differences between Hourwitz's assimilationism and Tonnerre's multiculturalism.

Abbé Jean Siffrein Maury, whose family was forcibly converted to Catholicism from Calvinism, became a spokesman for the Catholic Church and argued before the National Assembly on the church's behalf. Maury delivered a ferocious response to Tonnerre's demand for Jewish rights. "*Jew*," Maury declared, was not merely the name of a religious group, but that it was the name "of a nation."<sup>24</sup> His claims wandered between sentimentality and delirium.

Maury asserted that no Jew had ever "ennoble[d] his hands by driving a plow," and that Jews had "never undertaken anything other than commerce based on money."<sup>25</sup> He spoke of "the sweat of Christian slaves," and "the opulence of the Jews."<sup>26</sup> Notwithstanding his clumsy appeal for religious pluralism, Maury failed to engage with Tonnerre's dichotomy. Maury was satisfied with the current state of Jews as "passive citizens."<sup>27</sup> Ironically, this pronouncement was totally compatible with Hourwitz's recommendations. Detractors and assimilationists agreed that Jews were simply too different to be citizens. The assimilationist perspective deviated from Maury (and the Church) by asserting that Jews could overcome this impediment by abandoning those Jewish behaviors and attitudes which were incompatible with French society.

When the appeal for Jewish rights was finally brought before the National Assembly, it was modeled after the reason of Tonnerre, not Hourwitz. In January of 1790, a delegation of French Jews formally petitioned the National Assembly on the subject of citizenship. The Jews of France began their petition by asking "*Will the Jews be citizens or not?*" and describing the most common opinions on Jewish rights within the National Assembly.<sup>28</sup> The delegates revisited popular arguments for assimilation and multiculturalism, contrasted with those totally opposed to Jewish emancipation. Some, like Maury, argued against any change in the legal status of Jews, while others, such as Tonnerre and Hourwitz, had insisted on civil rights or a gradual improvement of the Jewish condition. The Jewish delegates made their appeal clearly. They demanded that "the degrading distinctions ... be abolished and that they be declared CITIZENS."<sup>29</sup> The petition noted that the Jewish struggle was uniquely fraught because it needed to do more than "prevail upon justice," instead it must "combat a prejudice."<sup>30</sup> It is certainly true that the debate over Jewish rights had not developed over purely pragmatic differences. As evidenced by Abbé Maury's hectoring screed before the National Assembly, the debate about Jewish rights often devolved into naked antisemitism. In such a climate, how could the Jewish petitioners overcome such widespread prejudice?

In direct contrast to the hysterical objections of the Catholic church, the Jewish petition for rights was uncompromising, forthright, and eminently reasonable. The petition clarified that not all

<sup>24</sup> "Abbé Maury," December 23, 1789, in *The French Revolution and Human Rights*, 89.

<sup>25</sup> "Abbé Maury," in *The French Revolution and Human Rights*, 89.

<sup>26</sup> "Abbé Maury," in *The French Revolution and Human Rights*, 89.

<sup>27</sup> Schechter, *Obstinate Hebrews*, 152.

<sup>28</sup> "Petition of the Jews of Paris, Alsace, and Lorraine to the National Assembly," January 28, 1790, in *The French Revolution and Human Rights*, 93.

<sup>29</sup> "Petition of the Jews," in *The French Revolution and Human Rights*, 94.

<sup>30</sup> "Petition of the Jews," in *The French Revolution and Human Rights*, 94.

Jews had practiced usury, that it was unfair to punish all Jews for this, and that “the courts have heard fewer and fewer complaints about usury by the Jews.”<sup>31</sup> The petition asked, “Excluded from all the professions ... to what extremity are you reducing [the Jews]?”<sup>32</sup> The petitioners first established the exaggerated nature of the problem of usury before demonstrating that any resentment that arose due to Jewish usury was the result of legal constraints on Jews. Further, they explained the irrationality of holding all Jews responsible for the actions of a small minority of Jewish financiers. They argued that their opponents “do not want [the Jews] to die, and yet you refuse them the means to live.”<sup>33</sup> This summary effectively described the contradiction which had arrested Jewish progress in France. The project of post-Revolutionary France was principally interested in legal equality, natural rights, and religious freedom—Yet they withheld these rights from a minority group on the grounds of religion. In effect, the petitioning Jews argued that “human rights required revolutions to be truly operative.”<sup>34</sup> For the French Jewry, the Revolution was incomplete because its essential obligation (citizenship) was unmet. The National Assembly responded by adjourning the matter and postponing future debate.

The following year, Jews were finally accepted as citizens by the National Assembly on September 27, 1791, but this victory was not without compromise. The motion was proposed by a deputy from the Parisian nobility, Adrien Jean François Duport. Much like the arguments in favor of granting rights to Jews, victory was articulated in the language of natural rights. Duport declared, “freedom of worship no longer permits any distinction to be made between the political rights of citizens on the basis of their beliefs ... [and] the Jews cannot be the only exceptions to ... these rights.”<sup>35</sup> However, citizenship was reserved only for those “who will swear the civic oath which will be regarded as a renunciation of all the privileges and exceptions introduced previously in their favor.”<sup>36</sup> This meant, principally, that Jews would no longer be permitted to govern their own communities with total autonomy. This compromise recalled the primary emphasis of Zalkind Hourwitz’s essay: For Jews to become French citizens, they must submit their Jewishness, at least in part, to French civic nationalism.

The French Revolution declared something novel in eighteenth-century Europe: that natural rights were guaranteed to all men. Jews (and their defenders) vigorously participated in the complex, and sometimes confused, debates about what these rights should be and who ought to receive them. Their demands were practical and grounded in the language of liberty. French Jews sought the freedom to participate freely in the economy, vote in elections, and receive equal treatment under the law. It was not inevitable that Jews would win their struggle for political rights. First, Jews were seen as an outgroup that could not be incorporated into French society or benefit from French legal privileges. Second, many French citizens were terrified of Jewish beliefs and behaviors, gripped by the frenzied delusion of antisemitism. Many people dedicated their lives and labor to overcome these two seemingly insurmountable obstacles. The success of Jewish citizenship was the result of their willingness to argue, compromise, and champion their cause in the tradition of the Enlightenment: through reason.

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<sup>31</sup> “Petition of the Jews,” in *The French Revolution and Human Rights*, 96.

<sup>32</sup> “Petition of the Jews,” in *The French Revolution and Human Rights*, 96

<sup>33</sup> “Petition of the Jews,” in *The French Revolution and Human Rights*, 96.

<sup>34</sup> Lynn Hunt, “The Origins of Human Rights in France.” *Proceedings of the Western Society for French History*, vol. 24 (October 1997): 11.

<sup>35</sup> “Admission of Jews to Rights of Citizenship,” September 27, 1791, in *The French Revolution and Human Rights*, 99.

<sup>36</sup> “Admission of Jews to Rights of Citizenship,” in *The French Revolution and Human Rights*, 100.

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