

THE ROLE OF NON-JEWISH AUTHORITIES IN RESOLVING CONFLICTS WITHIN JEWISH COMMUNITIES IN THE EARLY MODERN PERIOD

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This article presents examples of four categories of Jewish communal conflict in the seventeenth and eighteenth centuries where non-Jewish authorities were called upon to resolve the strife. The categories are: supracommunal disputes; intracommunal struggles between the community establishment and rival factions over institutional legitimacy; conflicts between communal institutions and powerful individuals; and disputes between individual Jews. The author concludes that while non-Jewish intervention usually was at the behest of at least one of the Jewish parties, such intervention was always according to the authorities' interests and both resulted from and contributed to the weakening of Jewish autonomous institutions.

In the Jewish tradition there are few sins as heinous as those of *halshanah*, delation or informing on fellow Jews to the governmental authorities; and *mesirah*, causing the apprehension of a fellow Jew by non-Jewish powers. While originally these capital crimes referred to actions which assisted in persecution of Jews, over the centuries they came to denote any action involving non-Jews which was deemed to be counter to the interests of the Jewish

community; or any attempt to bring non-Jewish authority to bear on Jews or the Jewish community. The communication of such information as Jewish accounting practices, Jewish trade secrets or the special discounts that Jews gave to other Jews was considered to be informing. A Jew whose complaint against a fellow Jew for inflicting some injury led to the latter's arrest could be accused of being a *moser*. Only the communal establishment had the right to draft non-Jewish authority in the service of its policies and it prescribed harsh treatment for anyone who attempted to circumvent its authority by appealing directly to representatives of the government.¹

Even adjudication before non-Jewish courts was usually considered to be out of bounds. Rabbinic authorities continually expressed their opposition to Jews' availing themselves of non-Jewish judicial services. For example, Rashi declared in the eleventh century: "Non-Jewish courts are disqualified by the Torah." The sixteenth century sage, Moses Isserles announced: "It is forbidden to litigate in non-Jewish courts and anyone who does so is, as it were, raising his hand against the Torah of Moses."²

However, as historians so often find, law is one thing and life is another. While rabbis and elders preferred, in theory, to keep non-Jews out of Jewish affairs, in fact non-Jewish authorities and non-Jewish courts played key roles in the conduct of Jewish communities from medieval times through the modern period. One of these roles was to play the arbiter in certain types of conflicts among Jews.

This is a topic that merits extensive study. In this brief presentation I will seek to give an impression of the contours of the subject in the early modern period. The method is to present examples of categories of Jewish conflicts where non-Jews were often requested or expected to intervene; and then to draw some historical and political conclusions.

The first class of conflict is supracommunal. With the invention of printing and the improvement of transportation and communications in the early modern period, local phenomena often received widespread — even international — attention. Of course, attention could be negative and the seventeenth and eighteenth centuries were witness to some bitter controversies over figures and movements who owed their notoriety to their publicity; and whose opponents and supporters were found in many different communities. Two examples are Shabbetai Zvi in the seventeenth century and the Emden-Eybeschutz controversy in the eighteenth.³

Shabbetai Zvi was the famous false messiah. While the word "false" is usually linked to his name today, during the height of

his activity, from June 1665 through September 1666 there were not many people, rabbis or laymen, who were willing to publicly challenge his messianic claims. Either because they at least hoped, even if they did not believe, or because they were intimidated by Shabbetai's enthusiastic and potentially violent supporters, opponents largely kept their own counsel. But opponents there were, and at least three times, someone from among them informed on Shabbetai to the Turkish authorities. The first time was in Jerusalem, shortly after his messianic declaration, in the summer of 1665. Anonymous accusers charged Shabbetai before the kadi of Jerusalem with wanting to rule and embezzling public funds. The result of the hearing before the kadi was not, surprisingly, Shabbetai's conviction and severe punishment. Rather, the kadi released him and gave him the privileges, highly unusual for a Jew, of wearing the Muslim color green and riding a horse seven times around the walls of the city. This treatment had a salutary effect on messianic belief. If the infidel cleric showed such respect for the putative Jewish messiah who were the Jews to demur? The kadi's ostensible reinforcement of Shabbetai's claims affirmed the conviction of the hard-core believers, swayed some hesitants and drove opponents further underground. It was a factor in the spread of the new messianic gospel.⁴

Some months later Shabbetai was in Izmir about to embark for Constantinople, where his believers expected him to assume the Sultan's throne and ascend to his messiahship. Before he left, once more anonymous accusers told the Turkish authorities that Shabbetai was planning a revolt against the Sultan. This time he was to be arrested; but the arresting party arrived too late and his detention occurred only after his ship arrived in Constantinople following a voyage garnished with legendary messianic exploits. Again, the failure of non-Jewish power to stymie Shabbetai was seen as a sign of his genuineness.⁵

Shabbetai Zvi's undoing was set in motion in September 1666 by a Polish Jew named Nehemiah Ha-Kohen who came to visit Shabbetai and debated with him for three days over the legitimacy of his messianic claims. When Nehemiah realized that he might be winning the debate at the expense of his life, for he was incurring the wrath of the messiah and his lieutenants, he fled Shabbetai's chamber. At the entrance he declared his desire to convert to Islam and, before the Ottoman authorities, accused Shabbetai of sedition.⁶

It was the Sultan's Privy Council that determined Shabbetai's fate. There he was questioned and given the choice between apostasy and death. Choosing Islam, Shabbetai was granted a title and

a stipend. This conversion both disproved Shabbetai's messiahship and prevented his martyrdom. Notwithstanding the continuation of underground groups of die-hard believers, the vast majority of the Jews, believers and sympathizers, were now disillusioned. The Jews lost a Messiah; Shabbetai's opponents could come out of the closet, embellishing their victory. The Sultan could rest reasonably assured that the Jews would go back to their low-profile, politically innocuous existence; and the disruption of the normal flow of commerce would cease.

During the 1750s Rabbi Jacob Emden led a concerted attack on Rabbi Jonathan Eybeshutz, the rabbi of Altona, for being a secret Sabbatean. Since Eybeshutz was considered to be the greatest talmudic scholar of the age this was a shocking charge. If such a rabbi as he could be a Sabbatean then who indeed was above suspicion? The controversy engulfed most of the communities from Amsterdam to Constantinople and almost all of the leading rabbis; most of whom took a stand in favor of one or other of the principals. The row had far-reaching significance because it revealed the lack of unity among the supposed authoritative interpreters of Jewish law, and made it obvious that rabbis and communal leaders might be motivated to take positions due to considerations of politics and personal relationships; not necessarily on the merits of the case. Despite the involvement of all of the famous Jewish authorities of the era, including the vaunted Polish Council of Four Lands, no Jewish power could resolve the issue; either forcing Emden to recant or Eybeshutz to admit his sin and publicly repent. Resolution came from the king of Denmark, who ruled the Schleswig-Holstein region of northern Germany where the contending rabbis lived. He issued three separate decisions in this case, ultimately, confirming Eybeshutz as rabbi of Altona, implying thereby that he was innocent of the charge of heresy, and preventing his enemies from harming him. While Emden persisted in his attacks, Eybeshutz, by gaining the king's seal of approval, was immune from having to acknowledge their substance. He served as rabbi of Altona until his death and to this day enjoys the defense of many traditional Jews.⁷

The second type of public Jewish conflict that state authorities became involved in was intra-communal disputes, where the authority and even legitimacy of established Jewish communal institutions was called into question. These were cases where factions within the community were at odds, with the establishment being assailed by those who resented its power.

One example of this is a controversy in Frankfurt am Main in the period 1615-1628.⁸ The Frankfurt Jewish community was gov-

erned by a group of ten elders referred to as the *Havura* or "The Ten." Each member of this body had lifetime tenure and whenever a member died his replacement was chosen by the remaining members of the group. This self-perpetuating, oligarchic, nepotistic institution angered the many sectors of the Jewish population whose interests often diverged from those of the oligarchs. The result was a fourteen year struggle to broaden the representativeness of the governing council.

During the long course of this dispute there were many twists and turns. At one point, representatives of the opposition appealed to the Holy Roman Emperor Mathias who referred the problem to an imperial commission. After investigating the situation and being convinced that the important members of the community supported the status quo, the commission came out in support of The Ten. Subsequently, in 1617, the emperor confirmed a *privilegium* which officially granted The Ten the authority to rule the Jews.

This did not quell the opposition and the communal unrest continued. After more attempts to resolve the quarrel internally, in 1621 the opposition again turned to the emperor, now Ferdinand II. He granted the municipal council of Frankfurt authority in the matter. On the basis of its inquiry the city council decided to establish a new type of Jewish administrative body. This would include fourteen members, six from the former *Havurah* and eight to be appointed by the Frankfurt municipal authorities from a list of sixteen nominated by the Jewish community. Giving the non-Jewish authorities the power to appoint the majority of Jewish governors was a serious breach of customary Jewish autonomy. It gave the non-Jewish authorities unprecedented leverage over the Jewish community and a novel means for influencing internal Jewish affairs. This new development brought the problem to the attention of the Council of Four Lands and various prominent European rabbis, who all tried, unsuccessfully, to negotiate a solution. Eventually, the Frankfurt Jews realized the danger which this new type of Jewish council posed and rather than allow it to be instituted the various factions reached a compromise brokered by their own rabbi.

Another example is the seventeenth century attempt of the Polish-Lithuanian Jews of Amsterdam to establish a third official Jewish community alongside the established Sephardic and German-Ashkenazic ones. While the Sephardim supported this bid, on the principle of divide the Ashkenazim and conquer, the Germans insisted that there be one single Ashkenazic community, including both Germans and Poles, where they, with their precedential status and greater numbers, would dominate. The Polish Council

of Four Lands gave contradictory rulings; at first siding with the Poles and the Sephardim, but later reversing its stand. Neither decision had a practical effect. At least one attempt at rabbinic arbitration also failed. Finally, the Jews from Poland turned to the Amsterdam city authorities in protest over the failure of the German community to share with the Polish community the proceeds from the Ashkenazic abattoir. The municipality appointed a commission of inquiry which recommended, in 1673, that the Polish community be prohibited from gathering separately and "permitted" them to unite with the Germans. This is what happened and with that the thirteen year conflict was resolved.⁹

Another example is the late eighteenth century struggle for control of the Vilna community in Lithuania. Vilna was the epicenter of the conflict between Hasidim and Mitnagdim. Beginning in 1772 the Hasidim were subject to periodic *haramot* (bans), book burnings, prohibitions on their prayer meetings and on renting them homes, as well as various informal forms of persecution. Once the leader of the Mitnagdim, Eliyahu the Gaon of Vilna, died in the fall of 1797, the Hasidim decided to strike back. Their move took the form of a series of complaints to the Russian authorities that the Vilna *kahal*, dominated by Mitnagdim, was guilty of malfeasance. The *kahal* had undercounted the number of Jews so as to decrease the Jewish tax bill; underreported the amount of tax monies collected from the Jews; appropriated communal money for illegitimate purposes; and bribed various officials to prevent investigation of the improprieties. The Hasidim demanded an inquiry culminating in the removal of the *kahal*. After many legal and bureaucratic machinations this was done and a new *kahal*, dominated by the Hasidim, was installed in 1799.

The Hasidim now ruled the community, although to do so they needed the active support of the Russian authorities. For example, on Purim of 1799 the Hasidic *megilah* reader in the central synagogue was allowed to proceed only because Russian soldiers flanked the *bimah*.

For their part, the Mitnagdim also approached the Russian authorities by appealing the pro-Hasidic rulings of the provincial authorities to the Tsar and by twice accusing the leader of the Lithuanian Hasidim, Shneur Zalman of Ladi, of founding a new religion and lending support to Russia's enemy, Turkey. These accusations were rejected and the final result was repeated confirmation by Russian authorities at various levels that the Hasidim were a legitimate Jewish group who had the right to gather, worship and be represented in Vilna Jewish communal bodies.¹⁰

Conflict category number three is conflicts between the communal establishment and various parties or individuals, where fundamental institutional legitimacy and control were not the issue. These were cases where small groups or individuals flouted communal authority, with the assistance of powerful non-Jews, in order to further their own partisan interests. The author of the eighteenth century *Hasdei Avot* complained, for example, about individuals who said, "Even though I have no pedigree and I do not act for the sake of Heaven, I will nonetheless succeed in my actions by the power of the ruler and the owner of the town."¹¹

Clear examples of this type of Jewish conflict between individuals and institutions, with Christian-backed or Christian-imposed resolution, can be found in Poland where Polish noblemen were usually likely to support Jews who had close political and economic ties to them. An instance of this is the eminent noblewoman, Elzbieta Sieniawska, who ordered one of her administrators, in 1725, to overturn the decision of a Jewish court which was to the detriment of her Jewish arrendator,

"The Jewish court does not deign to render justice or make restitution to the Tenczyn arrendator who has a just claim against the bankrupt Cracow Jew holding his merchandise. When the relatives of the bankrupt one return from Wroclaw through Tenczyn, arrest and hold them until they fully compensate the arrendator."¹²

In 1744 when the *kahal* of Miedzyboz sought to dismiss its rabbi, Hersz Lejbowicz, he responded with a petition to the Polish administrator in charge. The rabbi accused the community of improper behavior, begged the administrator to retain him in his position and offered the Pole a financial consideration if he complied.¹³

Conflict between powerful individuals and the community could be pre-empted by the noblemen's ensuring that their favorites had a say in *kahal* decision-making. In this vein, the noblewoman Maria Zofia Czartoryska warned the rabbinic judge of Satanow, "You should remember, sir, that according to ancient custom the arrendators [associated with her] have an important place among the elders of the *kahal*."¹⁴

The last category of conflict to be raised here is quarrels between individuals. These often ended up in court; and frequently the court was a non-Jewish one. As already noted, rabbinic authorities frowned on such practice, and advocated keeping all litigation, even criminal cases, within the confines of the Jewish community. From Polish sources, however, it is apparent that the Jewish communal courts' ability to adjudicate to the satisfaction

of both sides had limits. Consequently, the approach to non-Jewish courts was usual and even formalized.

In 1704, for example, the Christian elders and the Jewish *kahal* of Satanow signed a joint declaration confirming the right of the magistrate to govern and to judge them, both Christian and Jew.¹⁵ Such declarations were not merely polite exercises.

As early as 1573 Danko Igudych, a Jew of Luck complained that Shmoilo Symshych, also of Luck, had called him "a son of an impure womb." Evidently classed as a criminal complaint, the case was heard in the court of the *judex judaeorum*, the Christian judge in charge of suits pertaining to Jews but legally within the jurisdiction of the Polish court. He was assisted by Jewish advisors. Shmoilo was found guilty and incarcerated in the Luck castle. In line with Polish law which directed all appeals in cases involving Jews, whether from Jewish or Polish courts, to the provincial governor's (*wojewoda*) court, Shmoilo appealed the verdict to the *wojewoda*.¹⁶

In 1717 the magistrate court in Satanow heard the dispute between the two Jews, Abus of Satanow and Newach Jozefowicz of Horodno, concerning a store in Satanow which both of them claimed. The court decided that the property belonged to Newach but that Abus was entitled to 200 zloty worth of compensation for improvements he had made in the building.¹⁷

In Bar, in 1763, Abraham Markiewicz brought nine other Jews, including three women, before the magistrate court. He accused them of attacking his home in the middle of the night, stealing various items, damaging the property and injuring his person.¹⁸

This brief review implies some generalities about the role of non-Jewish authorities in resolving various types of conflicts within the Jewish community.

First, no conflict was too big or too small to admit non-Jewish involvement. Whether the subject was an international controversy or a dispute between two residents of the same town, or something in between, there was a mechanism for injecting non-Jewish authority into the conflict as a means of bringing about a resolution. Appeal to the government authorities was always an option. While the majority of controversies remained within the Jewish communal framework, the availability of the government option must have influenced the conduct and outcome of many disputes.

Second, the apparent trend, at least in the first three categories, was that the parties to a dispute did not jointly decide to appeal to the non-Jewish authority to arbitrate as an honest broker.

It seems that the custom was that one of the parties tried to trump the opposition by co-opting the irresistible power of the government. Interestingly, this party could either be the weak, such as the opponents to Shabbetai Zvi, the Hasidim in Vilna or the rivals of the Havura in Frankfurt; or the strong such as the Polish arrendators. What motivated their approach was their belief that they could not attain satisfaction from Jewish authorities, together with their conviction that the interests of non-Jews coincided with their position in the conflict. Indeed irrespective of who appealed to them we find that the non-Jewish authorities invariably decided a case in line with their interests, with only symbolic consideration of Jewish internal considerations.

In Frankfurt, for example, the imperial commission did not attend to the effect of the lack of representativeness on the dynamics of the Jewish community. The commission members were content that the most wealthy and influential members of the community, the ones the government needed for its purposes, were satisfied. The Frankfurt municipal council opted for a solution that would enhance *its* power over the Jews and did not confront the main issue dividing the Jewish community. The Amsterdam authorities ignored the concerns of the Polish Jews who had appealed to them and decided that the Ashkenazim should be united which simplified matters, administratively, for the municipality. Elzbieta Sieniawska and Maria Zofia Czartoryska supported their arrendators against the Jewish courts in order to prevent monetary loss that would ultimately be translated into the diminished ability of the arrendators to produce income for their nobility superiors.

Third, the appeal to non-Jews usually resulted from the lack of an authoritative, powerful Jewish body that could impose a solution. Jewish institutions derived their power from both Jewish tradition and the support of the non-Jewish government. The strongest sanction tradition endowed was the *herem* (ban); but increasing mobility and the birth of secularizing trends conspired to limit a ban's effectiveness, while better communications often resulted in the issuing of conflicting bans. In the Emden-Eybeshutz episode, for example, competing bans rendered the whole banning enterprise virtually meaningless. An individual could circumvent a ban, as important Polish Jews did, by hiding behind a non-Jewish power; or he could simply move.

Similarly, sanctions exercised under the aegis of a government could not exceed the support or reach of that government. Thus rabbinic rulings were subject to the reversal of non-Jewish courts and in many cases the government cooperated with Jews who sought to evade Jewish authority by allowing them to litigate in

non-Jewish courts. The Polish Council of Four Lands could only ask, not compel, communities outside of Poland to respect its rulings because beyond the reach of the Polish administration it had no government enforcement mechanism to rely on.¹⁹

It is understandable, therefore, that in most of the cases cited non-Jewish involvement came after the failure of Jewish institutions to resolve the problem. The rabbis of Jerusalem or Izmir could not prevent the popularity of Shabbetai Zvi. The debate among the rabbis of Europe with regard to Emden-Eybeshutz was deadlocked. The Council of Four Lands' attempt to effect a solution in Amsterdam was ignored. The Mitnagdim banned the Hasidim to no avail. The Jewish elders had obviously failed to prevent the violence against Abraham Markiewicz and could not keep the dispute within the community. The paralysis of the Jewish institutions or their inability to impose meaningful sanctions prompted the turn to the non-Jews who could make a decision and enforce it.

Fourth, non-Jewish involvement demonstrates how much the Jews were part of the societies, cultures and politics in which they lived. This point has traditionally been de-emphasized by Jewish historians who usually have played up Jewish autonomy and the extent to which Jews were separate from the surrounding non-Jews.²⁰ Jewish appeals to non-Jewish authorities indicate that the Jews understood that their conflicts took place within the larger context of the law and politics of the state they lived in. Jews recognized that they were ultimately subject to the processes of this context. They also were partners to the cultural assumptions that facilitated communication with non-Jews and enabled non-Jewish intervention in a manner which was understandable, and frequently even sensible, to all concerned. Jews accepted the fundamental moral legitimacy of non-Jewish governing institutions and, in many cases, were willing to trust their fairness.

The willingness of the non-Jewish authorities to intervene shows that they viewed the Jewish community as an integral part of the polity and Jewish institutions as no more than an arm of *their* administration which happened to be designated to deal with Jewish matters. When the authority or capability of this arm was exceeded, it was natural for a higher level of the same administration to deal with the problem. The clearest example of this is the various courts. For Jews, the autonomous Jewish communal courts were the embodiment of Jewish ethnic identity and bore the aura of hallowed tradition. For the non-Jewish authorities, the Jewish courts were a low level of the judiciary which handled a defined class of cases: minor civil matters between Jews. There was no hesitation about hearing other types of cases in non-Jewish courts.

Finally, it is evident that the tendency of non-Jewish governmental authorities to step into controversies among Jews grew over time. The Frankfurt municipal council did not shy away from violating the centuries-old established principles of Jewish autonomy. The Sultan saw the dispute over the nature of the Jewish messiah as an Ottoman political and economic issue. The detailed and long-running tsarist investigation into the charges and counter-charges of the Hasidim and Mitnagdim was unparalleled by anything in the Middle Ages.²¹ The number of civil cases between Jews that came to the state courts kept increasing from the eighteenth century on.²²

This was in line with the general trend of modern governments to tighten their rule over their subjects or citizens and to vitiate or eliminate competing sources of authority, which Jewish communal institutions, as a vestige of the medieval corporate structure, definitely were.²³

The increasing weakness of Jewish communal institutions has been cited as one of the hallmarks of Jewish modernity.²⁴ Concomitant to this weakness was a corresponding tendency for Jews to take their disputes to the non-Jewish authorities. This circuit was encouraged by the growing absolutist states and was self-perpetuating: the more the non-Jews were involved, the weaker the Jewish institutions became. Ultimately, from the late nineteenth century on Jewish communal organization came to be based on voluntary affiliation and compliance, and this is the circumstance virtually everywhere in the Jewish world today, outside of Israel.

With voluntary organization came a proliferation of factions, agendas and controversies. Defining the overall Jewish interest became harder and harder to accomplish. With governments unprecedentedly powerful and communal institutions weak, the temptation to turn to outside authority to resolve intra-Jewish disputes is strong. The appeal to civil courts, politicians and legislative bodies to become involved in contentious issues affecting the Jewish community — from divorce to day schools, from control of the Habad library to control of financial resources, from support of the elderly to support for Israel — is routine.

Even more than in the past, the basis of government implication is the principle of government interest. The modern state does not, indeed cannot, consider what is best for the Jewish community, but only what is in the best interest of the state and its citizens as a whole. As the historical examples adduced above imply, Jewish leaders would do well to contemplate that truth be-

fore placing the fate of the Jewish community in the hands of powers outside of it.

Notes

1. For an introduction to this subject, see the article "Informers" by Y. Slutsky and H.H. Cohn in *Encyclopedia Judaica* 8:1364-1373. For examples of seventeenth and eighteenth century communal legislation regulating relations between individual Jews and non-Jewish authorities, see B.D. Weinryb, *Texts and Studies in the Communal History of Polish Jewry* (New York: American Academy for Jewish Research, 1950) [=*Proceedings of the American Academy for Jewish Research*, v. 19], Poznan section, nos. 77-79, 106-108; S.M. Dubnow, *Pinkas Ha-Medinah* (Berlin: Ajanoth, 1925), nos. 60, 61, 73, 82, 86, 106, 107; I. Halpern, *Pinkas Va'ad Arba Aratzot* (Jerusalem: Bialik Institute, 1945 [1991]), nos. 1, 297, 352.
2. Rashi on Talmud Bavli, Gitin 9b; M. Isserles, *Responsa* [Hebrew], A. Siev, ed. (New York: Siev, 1970), no. 88, p. 379. For general discussion of this issue, see M. Elon, *Jewish Law: History, Sources and Principles* (Philadelphia: Jewish Publication Society, 1994), v. 1, pp. 13-18, 50-51.
3. On Shabbetai Zvi, see G. Scholem, *Sabbatai Zevi: The Mystical Messiah* (Princeton: Princeton University Press, 1973); S. Sharot, *Messianism, Mysticism and Magic: A Sociological Analysis of Jewish Religious Groups* (Chapel Hill: University of North Carolina, 1982), pp. 86-129; Y. Liebes, *On Sabbateanism and Its Kabbalah: Collected Essays* (Jerusalem: Bialik Institute, 1995), pp. 9-48 (Hebrew). On the Emden-Eybeschütz controversy, see G. Scholem, Review of M. Cohen, "Jacob Emden, Man of Controversy," *Kiryat Sefer* 16 (1939:320-338 (Hebrew)); J.J. Schacter, "Rabbi Jacob Emden: Life and Major Works," Ph.D. dissertation, Harvard University, 1988, pp. 370-498; Liebes, pp. 103-211.
4. Scholem, *Sabbatai Zevi*, pp. 240-242.
5. Scholem, *Sabbatai Zevi*, pp. 444-452.
6. Scholem, *Sabbatai Zevi*, pp. 658-668.
7. Schacter, pp. 392-403.
8. For sources and full details, see I. Halpern, "The Controversy Over the Selection of the Community Council in Frankfurt am Main and Its Repercussions in Poland and Bohemia," *Eastern European Jewry: Historical Studies* (Jerusalem: Magnes, 1968), pp. 108-135 (Hebrew).
9. D.M. Sluys, "Ashkenazic Jews in Amsterdam, 1635-1795," *Studies on the History of the Jews in Holland*, J. Michman, ed. (Jerusalem: Hebrew University Center for Research on Dutch Jewry, 1985), pp. 69-87 (Hebrew); *idem*, "Poolsch-Joodsche gemeente te Amsterdam," *Bijdragen en Mededeelingen van het Genootschap voor de Joodsche Wetenschap in Nederland*, 3 (1925), pp. 137-158; Y.D. Markon, "The 1672 By-Laws of the Polish Jewish Community in

- Amsterdam,” *Ziyunim: Y.N. Simhoni Memorial Volume* (Berlin 1909)159-180 (Hebrew); Y. Mahrshen, “The Council of Four Lands and the Communities in Amsterdam in the Seventeenth Century,” *Ha-Zofeh Le-Hokhmat Yisrael*, 8 (1924):289-299 (Hebrew).
10. Y. Klausner, *The Internal Controversy in the Community of Vilna*, (Jerusalem: n.p., 1942), pp. 20-45 (Hebrew); Y. Mondshine, “The Two Incarcerations of Shneur Zalman of Ladi in Light of New Documents” and “The Elders of Vilna, the Gaon, and Their Battle Against Hasidism,” *Kerem Habad*, 4a (1992):17-108, 182-221 (Hebrew).
 11. Aaron b. Judah, *Hasdei Avot*, Nestorov [Zolkiew] 1771, p. 8b.
 12. Biblioteka Czartoryskich, Cracow, (henceforth: BC), File 5946, letter 37987, November 28, 1725.
 13. BC 5870 letters 21168-9, December 21, 1744.
 14. BC 2702 June 6, 1730.
 15. Central State Historical Archive of Ukraine (CSHAU), Kiev, Fond 50, Opis I, Satanow Magistrate Records, Vol. 1, page following title page.
 16. CSHAU, Fond 25, Opis I, Luck Grodsky Court Records, Book 14 (2047), Act 143, pp. 114-115, May 8, 1573.
 17. CSHAU, Fond 50, Opis I, Satanow Magistrate Records, Vol. 1, 1717, p.168.
 18. CSHAU, Fond 1387, Opis I, Bar Magistrate Records, Vol. 2, February 16, 1763, p. 9.
 19. M.J. Rosman, “The Authority of the Council of Four Lands outside of Poland,” *Bar-Ilan*, 24-25 (1989):11-30 (Hebrew).
 20. For example, Jacob Katz’s classic, *Tradition and Crisis* (New York: Schocken, 1993), assumed that the Jews of “Ashkenaz,” from the Loire to the Dnieper, were a single society and depicted their communal life with little reference to the countries they were living in. H.H. Ben-Sasson, *Trial and Achievement* (Jerusalem: Keter, 1974), p. 144, called the Polish-Lithuanian Commonwealth “a province of Jewish society and culture.”
 21. See Klausner and Mondshine in n. 9, as well as M. Nadav, *Pinsk* (Tel-Aviv: Association of Pinsk Jews in Israel, 1973), pp. 195-204.
 22. Z. Pazdro, *The Organization and Conduct of the Jewish Podwojewoda Courts, 1740-1772* (Lvov, 1903) (Polish).
 23. S. Ettinger, “The Modern Period,” *A History of the Jewish People*, H.H. Ben-Sasson, ed. (Cambridge: Harvard University Press, 1976), pp. 730, 750-754.
 24. Ettinger, pp. 850-851.