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INTRODUCTION

LOUISE HECHT

This double issue is not dedicated to a specific topic. The five papers published in this volume were selected according to scholarly quality, without restrictions regarding time, geographic area and methodology. In fact, the authors' fields of expertise are quite varied and embody Jewish Studies proper, German literature, history and jurisprudence; they thus exemplify the truly interdisciplinary character of Jewish studies and whole array of topics it encompasses. The issue is conceptualized as a double issue, since it includes three contributions that present the findings of their authors' master theses (Kelemen, Mayerhofer and Wedam); the theses were approved by the National Studies Program of the Central European University in Budapest, the Jewish Studies Department at the University of Vienna and the German Department of Karl-Franzens University in Graz, respectively. Four of the five articles (Kelemen, Motyčka, Valachová and Wedam) focus on the twentieth century, thus demonstrating (young) scholars' efforts of coming to terms with the numerous disasters and catastrophes

of the past century that changed the track and patterns of Jewish history beyond recognition. Generally speaking, catastrophe and (Jewish) resilience can be considered the overarching theme that connects all the contributions. The four papers concentrating on the twentieth century deal with the calamities and cataclysms of modern (Jewish) history and Jewish responses, i.e. World War I, the turmoil of the interwar period in Central Europe, National Socialism and the establishment of the State of Israel; Kerstin Mayerhofer's article, on the other hand, analyses a text closely connected to the destruction of the Second Temple in 70 C.E.

The destruction of the Temple did not mark the end of Jewish independence in the Land of Israel (which had actually come to halt already 150 years earlier, with the Roman conquest of the Hasmonean kingdom in 63 B.C.E.), but it certainly signified one of the most important turning points in Jewish history. Referring to this disaster, the Babylonian Talmud, tractate Gittin 56 a-b,¹ recounts the story of Yohanan ben Zakkai, one of the leading *Tannaim* in the

¹ Parallel accounts can be found in *Avot de-Rabbi Nathan A* chapter 4 and *Avot de-Rabbi Nathan B* chapter 6.

first century,² who opposed the zealots that were eager to fight the Romans in the Jewish Revolt (66-73 C.E.), during which the Temple was wrecked. Despite the zealots' prohibition to exit the city, Yohanan ben Zakkai succeeded in leaving the besieged Jerusalem, surrendered to Vespasian and won the latter's favor by predicting his military success and his accession to the imperial throne. In return, Vespasian granted the Jewish sage a wish. Rather than requesting to save Jerusalem and the Temple, Yohanan ben Zakkai asked for "Yavneh and her sages". At Yavneh (near today's Rehovot) he created a center of Jewish scholarship that achieved transforming Judaism into a religion that survived the destruction of the Temple. Consequently, the legend connected to the figure of Rabban Yohanan ben Zakkai was regarded as the founding myth of rabbinic Judaism and as instrumental for the preservation of Jewish religion after the fall of Jerusalem and the destruction of the Second Temple.³

While (later) rabbinical Judaism to a certain extent repalced the Temple and temple service by Torah studies, the

2 On Yohanan ben Zakkai cf. Jacob Neusner, *A Life of Yohanan Ben Zakkai, ca. 1-80 CE*, Leiden, 1970 (2nd ed.).

3 On the later rabbinic construction of Yavneh as its founding myth cf. e.g. Daniel Boyarin, *Border Lines: The Partition of Judaeo-Christianity* (Philadelphia: University of Pennsylvania Press, 2004), p.46-9, 151-201; on the intriguing question, why rabbinical Judaism has chosen to portray one of its central figures as a defector, cf. Amram Tropper, "Yohanan Ben Zakkai, *Amicus Caesaris*: A Jewish Hero in Rabbinic Eyes," in *JSIJ* 4 (2005), p.133-149.

Slavonic Apocalypse of Abraham, the pseudepigraphical apocalyptic text that **Kerstin Mayerhofer** analyzes in her paper, is mainly concerned with explaining the events and circumstances leading to the Temple's destruction. Written in the first or second century C.E., i.e. almost simultaneous to the events, it tried coming to terms with the eminent cultic and socio-economic crisis caused by the destruction. The author's concern consisted thus in offering a reason for the desaster, which he finds in idolatry. In the Babylonian Talmud, on the other hand, idolatry is quoted as the reason for the destruction of the *Frist* Temple by the Babylonians; whereas the annihilation of the Second Temple is explained as following: "But why was the second Temple destroyed, seeing that in its time they [i.e. Israel] were occupying themselves with Torah, [observance of] precepts, and the practice of charity? Because therein prevailed *hatred without cause*."⁴ Rabbinical Judaism thus links the disaster to Jewish sectarianism that it tried (and to a great extent succeeded) to overcome. For the author of the Slavonic Apocalypse of Abraham the motif of idolatry, however, allegorically encompaes any human misconduct; the destruction of the Temple therefore serves as an ultimate punishment for every sinful behavior. Since the author concieved the destruction of the Second Temple as parallel to the destruction of the First Temple,⁵ he is convinced that

4 Yoma 9b (emphasis added).

5 Amram Tropper sees the same parallel in the legend of Yohanan ben Zakkai's 'desertion' from Jerusalem, which according

the punishment could be reversed by repentance and return to the true faith.

As exemplified in the story of Yohanan ben Zakkai, rabbinical Judaism was intellectually and culturally shaped in late Antiquity as a consequence of the destruction of the Second Temple, within a setting of disempowerment. According to Daniel and Jonathan Boyarin this accounts for the specific characteristics of Judaism, respectively 'Jewishness'.⁶ The Jewishness, they propose, "disrupts the very categories of identity because it is not national, not genealogical, not religious, but all of these in dialectical tension with one another."⁷ The particular Jewish discourse of ethnocentricity is therefore appropriate for the embattled, non-hegemonic cultural identity of a minority; moreover, rabbinical Judaism has proved over centuries that the "Promethean Jewish creativity was not antithetical, indeed was synergistic with a general cultural activity" that constitutes the rule in modern (Central) European Jewish history.⁸ The Boyarins offer the concept of Diaspora as an alternative to two powerful narratives of domination: Universalist humanism, as developed by Paul the apostle, and autochthonous nationalism; while the first attains love for humanity at the price

of imperialist dominance (i.e. inclusion by conversion), the second achieves rootedness and dominance over territory at the expense of exclusion of competing nationalities/nationalisms with (old or new) claims on the land.⁹

Despite the vast array of topics and methodological approaches expounded in the four additional papers of this volume, Boyarins' concept of Diaspora (respectively its negation) seems to run through them as a common theme. **Britta Wedam's** paper focuses on an especially intriguing source, namely letters that fallen Jewish soldiers of the Austrian-Hungarian army had written to their families during World War I. By publishing this exchange of private emotions, *Dr. Bloch's Wochenschrift* aimed to demonstrate that Jewish soldiers did not adhere to a parochial identity, but contributed their share (and sometimes even more than average) to the patriotic cause of the Austro-Hungarian Monarchy. Since they conceived of their Jewishness as a Diaspora identity in the Boyarian sense, the editor's and the families' patriotic commitment for the Monarchy was perfectly compatible with their Jewish identity. This can be neatly exemplified by the fact that often the same sources were used to counter anti-Semitic accusations of Jewish slackers; i.e. what could be considered an assertion of Jewish identity (in the fight against antisemitism) simultaneously served to highlight patriotic dedication to the

to his analysis, is modeled upon the story of Jeremiah and the destruction of the First Temple; Tropper (s. footnote 3), p.143-147.

6 Daniel Boyarin and Jonathan Boyarin, "Diaspora: Generational Ground of Jewish Identity," in *Critical Inquiry* 19,4 (1993), p.693-725,

7 Ibid., p.721.

8 Ibid., p.711, 718.

9 For an excellent interpretation of Boyarins' article cf. James Clifford, "Diasporas," in *Cultural Anthropology* 9, 3 (1994), p.302-338, esp. 321-325.

Austro-Hungarian fatherland.

Ágnes Katalin Kelemen's fascinating study on Hungarian Jewish students in fascist Italy examines a diaspora within the Diaspora. The migration of Hungarian Jewish students to various Central European countries as a consequence of the anti-Jewish *numerus clausus* law of 1920 in Hungary has already received some attention of the scholarly community;¹⁰ however, the peregrination of *numerus clausus* refugees to Italy has so far remained a desideratum. Kelemen's article analyzes the paradox of fascist Italy's receptivity towards students haunted by the antisemitic politics of Italy's ally, Hungary, and additionally discusses the changing relationship of Italian fascism to Jews. She thereby exposes the whole gamut of (national) identification politics amongst the students' community, reaching from Hungarian nationalism to Zionism and in some cases to a close bonding with the Italian nation and culture. Although the group of Hungarian Jewish students in Italy might be numerically less significant than in other Central European countries during the interwar period (e.g. in the ČSR, Germany and Austria), Kelemen aptly highlights the numerous implications connected to the phenomenon.

10 Cf. e.g. Victor Karády and Péter Tibor Nagy (eds.), *The numerus clausus in Hungary: Studies on the First Anti-Jewish Law and Academic Anti-Semitism in Modern Central Europe* (Budapest: Pasts Inc. Centre for Historical Research, History Department of the Central European University, 2012).

While most articles of this volume address Jews and their religious/cultural/national identity, **Lukáš Motyčka**'s paper focuses on 'the Jew' as an allegorical trope for otherness¹¹ in the literary analysis of the short story "Asche" ("Ashes") by the Sudeten German writer Josef Mühlberger (1903-1985) that depicts a homoerotic relationship between a Jewish and a Gentile boy in the 1930s. Motyčka reassesses the common reception of Mühlberger, a writer loosely associated with the 'Prague circle' of German writers (whose most prominent members were Franz Kafka and Max Brod), as a Philosemite and friend of Max Brod by contextualizing the seemingly sympathetic story with similar texts of Mühlberger that exploit the 'communality of stigmata' (homosexuality and Jewishness).

Sára Valachová's contribution on the constitutional system of the State of Israel, finally, allows us to examine the relationship between Jewish Diaspora (identity) and the transformation of the Jewish value system in the State of Israel. Valachová's scrupulously investigates the different causes and influences that prevented Israel from adopting the Central European (or American) model of a written constitution at the moment of its establishment (first of all the tensions between religious and secular groups, but as well the historically critical time after the Holocaust), opting instead for a series of Basic Laws that were introduced at different times. While it is arguable

11 Cf. Boyarin & Boyarin, "Diaspora" (s. footnote 6), p.700.

whether the Basic Laws equal a written constitution, the absorption of various legal systems (e.g. Ottoman, British, and Jewish Law) has created a legal patchwork which to a certain extent raises doubts in the view expounded by the Boyarins' that Zionism reproduces the exclusivist syndromes of European nationalism.¹² However, the lack of a single document called 'Constitution' might in the long run tip the scales in the national/istic direction. In this respect, Valachová's assertion of a missed opportunity at the state's establishment seems quite accurate.

12 Cf. Boyarin & Boyarin, "Diaspora" (s. footnote 6), p.701.

**“AND THEY WILL
REJOICE OVER ME
FOREVER!” THE HISTORY
OF ISRAEL IN THE LIGHT
OF THE CATASTROPHE OF
70 C.E. IN THE SLAVONIC
APOCALYPSE OF
ABRAHAM**

**KERSTIN
MAYERHOFER**

The Slavonic Apocalypse of Abraham (ApcAbr) is a pseudepigraphical apocalyptic text from the 1st or 2nd century C.E. It offers an interesting insight into the history of the people of Israel of that time and a unique approach to the events surrounding the destruction of the Second Temple in 70 C.E. The destruction of the Temple marked a significant watershed which brought a great cultic and socio-economic crisis for the people of that time. In ApcAbr, this crucial topic is closely connected to the motif of idolatry allegorically representing any human misconduct. The destruction of the Temple functions both as an ultimate punishment for sinful behavior and a warning for the people to adhere to the author's call to repentance and return to true faith.

1. INTRODUCTION

“And they will rejoice over me forever!” — this is what God proclaims for Abraham’s descendents to happen years after him. The quote stems from the so called *Slavonic Apocalypse of Abraham*, a pseudepigraphon based on a Hebrew Bible text which is preserved until today in various Slavonic¹ manuscripts. The original text dates back to the 1st or 2nd century C.E. and deals with the

1 The terms Slavonic, Slavic and Church Slavonic are problematic. Sometimes the three terms can mean the same, sometimes it is necessary to differentiate between Slavonic/Slavic as a spoken language and Church Slavonic as literary language only. In the context of the Slavonic Apocalypse of Abraham, the author of the paper chose to use the term Slavonic as opposed to Church Slavonic to underline that there is not only one Church Slavonic version of the text but a variety of versions stemming from different geographical regions thereby encompassing different regional language features. The use of Church Slavonic in the various Slavic polities resulted in the adjustment of Church Slavonic to the local vernacular. Even though the different versions of ApcAbr can still be considered as Church Slavonic, there are different Slavonic/Slavic recensions ApcAbr bears witness of (e.g. Bulgarian, Serbian and Russian recensions). The usage of the term Slavonic thus seemed more appropriate than the more commonly used term Church Slavonic.

destruction of the Second Temple in 70 C.E. and its consequences for the Jewish people of those days. In doing so, the text has often been compared with classical apocalypses such as 4 Ezra or 2 Baruch. The Slavonic Apocalypse of Abraham — henceforth ApcAbr — holds a special position in many aspects though. Both Jewish and Christian scholars have often neglected the text mostly due to its complex tradition. ApcAbr is preserved and transmitted in various manuscripts of Slavic origin dating from the 13th century onwards. From all extant manuscript, only six can be counted as almost complete and autonomous. The most important version is transmitted in an East Slavonic collective volume from the second half of the 14th century called *Silvestrovskij Sbornik*. It is both the oldest and only coherent version of ApcAbr.²

2 On the various manuscript traditions of ApcAbr cf. Émile Turdeanu, *Apocryphes slaves et roumains de l’ancien testament* (Leiden: Brill, 1981), pp.153–180. There are two main editions which are based on the two most important manuscripts of ApcAbr from the *Silvestrovskij Sbornik* and the *Paleja tolkovaja* from Volokalamsk. The first one is a facsimile edition which was published in 1891 by Novickij and Markov; cf. P. P. Novickij and A. Markov, eds. *Otkrovenie Avraama* (St. Petersburg: Obščestvo ljubitelej drevnej

All of the Slavic manuscripts are based on a South Slavic *prototext* from the 10th century which was translated from a Greek *Vorlage* most probably in the region of today's Macedonia or Serbia. The Greek *Vorlage* is no longer extant. The text and its language make quite clear that the Greek text was not the original. The atypical coordination of the sentences, the naïve repetitions of the same phrases and the names given to the mentioned idols can only be explained by assuming a Hebrew original for the extant Slavonic versions.³ In 2004, Alexander Kulik closely examined the text and helped to fix the theory

pis'mennosti, 1891). The *editio princeps* was composed by Nikolaj Tichonravov and published in 1893 in Moscow; cf. Nikolaj S. Tichonravov, *Pamjatniki otrečenoj ruskoj literatury I.* (St. Petersburg: Obščestvennaja polža, 1868). This edition is far away from being accurate yet critical. A revision of Tichonravov's *editio princeps* was compiled by the author of this article in her MA thesis in Slavonic studies; cf. Kerstin Mayerhofer, *Die Slavische Abrahamsapokalypse und ihre Überlieferung* (MA Thesis; University of Vienna, 2012), pp.52–79.

3 This assumption was first made by George H. Box in 1918. Cf. George H. Box and Joseph I. Landsman, eds, *The Apocalypse of Abraham* (Translation of Early Documents Series I: Palestinian Jewish Texts; London: Society for Promoting Christian Knowledge, 1918), p.7. Various researchers have followed Box's example and promoted a Hebrew Original. Cf. Ryszard Rubinkiewicz, *L'Apocalypse d'Abraham (en slave): Edition critique du texte, introduction et commentaire* (2 volumes; PhD Thesis; Rome: Pontificio Istituto Biblico Roma, 1977); Belkis Philonenko-Sayar and Marc Philonenko, 'Die Apokalypse Abrahams', in *Jüdische Schriften aus hellenistisch-römischer Zeit* 5/5 ed. by Hermann Lichtenberger et al. (Gütersloh: Gütersloher Verlagshaus, 1982), pp.415–462.

of a Hebrew original which had been doubted by many scholars before.⁴

While the Hebrew original has been proven by now, the geographical origin and the authorship of ApcAbr are still in doubt. Some researchers have posted the theory of an Essene origin of ApcAbr. This theory is problematic though because there is no definite proof for either an Essene origin or a non-Essene origin. The contents of the text speak rather for an author who is not from the Essene milieu. ApcAbr's strong call for return from heathen practices and its exhortatory yet motivating appeals which are intertwined in its eschatological hopes calls for geographical localization of the text in Palestine, most likely within spitting distance of Jerusalem. Both the destruction of the Temple and the socio-economic crisis stemming from it cannot have been as big of a threat for the Essenes' identity and constitutional integrity as they had already abandoned the Temple and found atonement in a new form of divine service some time before.⁵ It cannot be denied though that

4 Kulik gives a multitude of linguistic examples from the Slavonic text that can only be explained by assuming a Hebrew original. Not only the lexical basis of the text is entirely Hebrew, also there are many semantic and syntactic calques that make a Hebrew rather than a Greek original obvious. Cf. Alexander Kulik, *Retroverting Slavonic Pseudepigrapha: toward the Original of the Apocalypse of Abraham* (Atlanta, Ga.: Society of Biblical Literature, 2004). For an extended summary of Kulik's technique and some more linguistic examples cf. also Kerstin Mayerhofer, *Die Slavische Abrahamsapokalypse und ihre Überlieferung*.

5 Cf. Jacob Neusner, 'Emergent Rabbinic Judaism in a Time of Crisis,' *Judaism* 21/3

the author is familiar with theological concepts such as dualism, eschatology and predestination which can be found in various texts from the Dead Sea which are generally associated with the Essenes.⁶ Since even the priesthood is evaluated in a most negative way, it is quite clear that the author of ApcAbr cannot have come from the priestly class either. Various scholars have also suggested an Ebionite, early Christian, Gnostic or Bogomil author,⁷ but these theories

(1972), 313–327 (pp.318–320).

- 6 The assumption of an Essene origin of ApcAbr is highly speculative due to the speculative character of the history of the Essenes itself. What we know about the Essenes is mostly based on the reports of Josephus (*Bell.Jud.* 8,1.119–8,13.161), Philo of Alexandria (*Quod omnis probus liber sit* 12,75–87) and Pliny the Elder (*Naturalis Historia* 5.73); all three of them however are not original but are re-works of numerous older sources. However, various texts from the Dead Sea show a certain similarity to what Philo, Josephus and Pliny describe as the Essene way of life and system of belief. This has led multiple scholars to the identification of the Qumran community with the Essenes. Concepts such as divine predestination as well as a dualism of good and bad and individual eschatology as described by Philo and Josephus are attested in the *War Scroll* (1QM), the *Rule of the Congregation* (1QSa) and other sources from Qumran. Still, a definite system of belief clearly associable with the Essenes cannot be deduced from the texts. Predestination (in form of the principle of free will), dualism and eschatology are religious concepts which reflect times of social and religious distress and are famous with many other Jewish texts from different times. The same seems to be the case with ApcAbr.
- 7 Box's theory about the tradition of ApcAbr from the Essenes to various Gnostic groups via the Ebionites has long been outdated. Cf. Box (see note 3), p.11. Rubinkiewicz on the other hand suggests a Bogomil author for ApcAbr according

can't be proven either. In short, all that can be said about the geographical and sociological background of ApcAbr is that it is located in Palestine and the author is not associated with the priestly class.

With regard to its contents, ApcAbr provides an expansion of the covenant narrative based on Gen 15. It can be seen as a prehistory for Gen 11:26 to 25:10 and adds some philosophical ideas to the original narrative. The text can be divided into two coherent parts — a haggadic “prehistory”⁸ (ch. 1–8) and a second part which is purely apocalyptic (ch. 9–32).⁹ Both parts are “organically connected”¹⁰ even though assumptions have been made about the two parts being written separately and connected later on. The structure of a narrative of five thematic sections in which two triads of verses are arranged around a central unity make the theory of two separate parts of the text unlikely.¹¹

to the text's focus on good versus evil and the absence of the concept of bodily resurrection at the end of times. Cf. Rubinkiewicz, „Apocalypse of Abraham,” in *The Old Testament Pseudepigrapha* 1 ed. by James H. Charlsworth (London: Darton, Longman & Todd, 1983–1985), pp. 681–705, (p.685). The Bogomil theory has been refuted by Turdeanu following a thorough interpretation of the concepts and topics in ApcAbr formerly believed to bear the signature of a Bogomil author. Cf. Turdeanu (see note 2), pp.1–28.

8 Kulik (see note 4), p.9.

9 The chapter numbering follows Kulik.

10 Box (see note 3), p.3.

11 Cf. Ryszard Rubinkiewicz, ‘La vision de l'histoire dans l'Apocalypse d'Abraham’, in volume 2 of *Aufstieg und Niedergang der Römischen Welt: Geschichte und Kultur Roms im Spiegel der neueren Forschung* ed. by Hildegard Temporini and Wolfgang Haase (Berlin: De Gruyter, 1979), pp.137–151 (pp.144–145).

The first section of ApcAbr (ch. 1–6:8) describes young Abraham’s life in his father’s house and his coping with his father’s and brother’s idolatry. Abraham is convinced that idols are vain and that only God has power over man and earth. His effort to convert his father and persuade him to let go of his idolatrous practices fails and Terah meets his death in his burning house.

The second section (ch. 9–12:2) starts after the burning of Terah’s house from which Abraham is saved miraculously. He then meets the angel Yahoel who announces that Abraham has been chosen by God to travel to the heavens. Yahoel will accompany Abraham on his “otherworldly journey” which will start from the mountain of Horeb whereto he now leads Abraham.

The third section (ch. 12:3–15:4) is slightly different from the other four sections not only structurally. It describes the preparation of Abraham’s rapture into heaven thereby forming the narrative transition from prehistory to apocalypse. Abraham is to prepare a sacrifice for God and is tried by the fallen angel Azazel. Abraham holds tight to his belief in God and is later rewarded for his fidelity by being brought to the first heaven.

The fourth section (ch. 15:5–29:22) describes the events in heaven and Abraham’s dialogue with God. Abraham has a different vision in each of the seven heavens he travels through. First, he is shown the heavenly elements and beings that inhabit the lower spheres. Regaining his strength, Abraham then starts questioning God and poses some of the most important and classical

theosophical questions — concerning creation, the purpose of evil, free will and predetermination. In his last vision, Abraham finally sees the destruction of the Second Temple as the ultimate consequence for human misbehavior (ch. 27:1–12).

Back on earth, at the beginning of the fifth and last section of the book (ch. 30–32), Abraham has another vision. He sees revolt between the righteous and the heathens following the destruction of the Temple. There is no definite outcome of the revolt shown to Abraham but God predicts ten plagues to fall upon mankind at the end of days. Then, the righteous will be rewarded for their deeds whereas the heathen oppressors will be destroyed.¹²

The topics which are discussed in ApcAbr are manifold but can be subsumed in two main categories. First, there is the “tension between

12 The dichotomy righteous vs. heathen is not a particular feature of apocalyptic texts even if they deal with eschatological motifs and topics. That ApcAbr focuses so much on the comparison between good/righteous and evil/heathen can be regarded both as a special form of perception of the political and social situation in Second Temple Jerusalem but also as a form of dualism that is also famous with the Qumran community and reflected in some of their texts (eg. 1QM). This dichotomy is illustrated by a harsh contrast between right (where the righteous come from) and left (where the heathen oppressors come from) and thus draws back to the old universal tradition in which the left side is associated with bad luck, weakness and amiss. Cf. Kerstin Mayerhofer, “*Und sie werden sich in Ewigkeit über mich freuen!*” *Die Geschichte Israels im Lichte der Katastrophe von 70 n.Z. in der Slavischen Abrahamsapokalypse* (MA Thesis, University of Vienna, 2013), pp. 55–56.

Israel's status as God's people and its fate at the hands of the Gentiles"¹³ the author of the text is dealing with. This tension is shown first in Abraham as *pars pro toto* for God's chosen people. He later even enters an intimate covenant with (ApcAbr 22:2). On the other hand, the story of Abraham's descendants is shown as a story of oppression, violence and mistreatment against both the people and its cult (ApcAbr 27:1–2). Seeing his seed's future, Abraham is filled with indignation and challenges God's relationship with His chosen people. The question of why God could have permitted such an awful state of affairs for His people to happen is apparent (ApcAbr 26:1). God explains to Abraham that the dilemma of Israel's suffering is dependent upon their practice or rejection of idolatry. Even though God has allowed the crisis to happen, Israel itself is to blame for it (AprAbr 24:1–26:7).

This seems a rather unsatisfying answer not only for Abraham. Hereby, a second major topic unfolds which is crucial for understanding the theosophical concern of ApcAbr. Israel's ignorance of God's laws can be seen first and foremost in its idolatrous practices. God punishes this ignorance by imposing a great and difficult crisis on His chosen people. But not only Terah — as is shown in the first part of the book — also Adam, Eve and Cain have practiced idolatry (ApcAbr 23:1–13; 24:5) and

have thus sinned before God. Abraham, who manages to stand up against his father's ungodly practices, can escape both the crisis and the punishment. Being offered a journey through the heavens, Abraham is even given the possibility to lead his descendants back onto the right path. At the end of the text, there is salvation of the righteous and punishment of the heathen. Also, thematically, Israel's repentance and return to their father's religion, turning their back on idolatry, helps to release the abovementioned tension between a chosen and an oppressed people.

2. THE DESTRUCTION OF THE SECOND TEMPLE WITHIN THE JEWISH APOCALYPTIC LITERATURE

The destruction of the Second Temple in 70 C.E. is an important event not only for Israel's history but also for its cultural identity. Following it, Israel has plunged into a crisis not only in fact but also from a socio-economic, political and theological point of view. Without any doubt, the destruction of the Second Temple and the following events can be considered as one of the greatest crises in the overall history of Judaism. Dealing with the crisis and evaluating the events has been crucial for a wholly new understanding of the theological-ideological system of values and Israel's concept of faith.¹⁴

13 George W. F. Nickelsburg, *Jewish Literature between the Bible and the Mishna: A Historical and Literary Introduction* (Minneapolis, Minn.: Fortress Press, 2006), p.287.

14 As has been indicated above, not all the groups of Jews have responded to the catastrophe of the destruction in the same way. While people in Palestine and especially Jerusalem must have experienced

Not only ApcAbr but many other Jewish texts before have dealt with the event. The genre that has most often been chosen for evaluating theological and sociological crises is the genre of apocalyptic literature. Apocalypses form an integer part of the Jewish literary canon. Their development as a genre can be dated back to a period of roughly 500 years between 250 B.C.E and 250 C.E. The definition and the morphology of the apocalyptic genre is diffuse and there is a variety of subgenres.¹⁵ Mostly, the texts describe an *otherworldly journey* as is the case

the loss of the Temple as a serious social and religious issue, others were indifferent. Jewish groups such as the Essenes, the Pharisees, the Egyptian Jewish community and communities in the Diaspora in general had rejected the Temple long before 70 C.E., had never even seen it or had even built up their own sanctuary, both physically (as eg. in Leontopolis) and spiritually (as with the Qumran community). All of them had adapted to a cultic life without its earthly central place of worship in Jerusalem. Therefore, the political, socio-economical and religious importance of the events of 70 C.E. cannot be taken for granted for the Jews in their entirety. Cf. Neusner, 'Emergent Rabbinic Judaism in a Time of Crisis' (see note 5), 314; 318–327. Still, for the purpose of this article, "Israel" is used as a technical term encompassing the Jewish groups who had remained in the land and the city of Jerusalem and were indeed affected by the destruction of the Temple in one way or another. Their "concept of faith" refers to the old system of belief with the Temple as its cultic center of worship, sacrifice, pilgrimage and atonement.

15 For an extensive definition of the apocalyptic genre cf. John J. Collins, 'Introduction: Towards the Morphology of a Genre', in *Apocalypse: The Morphology of a Genre* ed. by John J. Collins (Semeia 14; Missoula, Mont.: Scholars Press, 1979), pp.1–19.

in ApcAbr. The contents can either be purely historical, cosmic-eschatological or individual-eschatological. ApcAbr can be considered as both historical and political-eschatological in content which is a rare combination. The description of historical events within an apocalyptic text is not primary though and serves almost entirely only as a basis for a later eschatological evaluation. What unifies most of the apocalyptic text is a strong interest in motifs of loss, sorrow, mourning, social, economical, personal or national crisis and fear. This explains why most of the apocalyptic texts stem from a historical time of political or national imbalance.¹⁶

16 The suggestion of Vielhauer and Strecker that all the apocalypses were "written out of distresses" is only true if distress is understood in broader sense. (Philipp Vielhauer and Georg Strecker, 'Apocalypses and Related Subjects: Introduction,' in *New Testament Apocrypha 2: Writing Related to the Apostles, Apocalypse and Related Subjects* ed. by Wilhelm Schneemelcher and R. McL. Wilson (Louisville: Westminster, 1991), pp.542–602 (p.558).) An underlying crisis reflected in the text cannot be proven for all the apocalyptic books, such as eg. *The Book of the Watchers* (1 En 1–36). Even though the texts share certain characteristics, we cannot speak of apocalypticism as a monolithic phenomenon. Rather, it very varied and there are certain texts responding to real or perceived social situations and crises but some texts are not. The *Sitz im Leben* of the genre of apocalypses is not very easy to define. The same goes for reception history of apocalypticism as a genre. If any, we can only define the reception for a single text but this too sometimes is problematic due to the tradition history of many of the apocalyptic texts since many have only been preserved in some form of later translation. This is the case not only with ApcAbr but also with other important apocalyptic texts such as 1 Enoch, 2 Enoch, 2 Baruch

Both the destruction of the First and the Second Temple have touched Israel on many levels — personally, socially, psychologically and spiritually. Within apocalyptic texts, both authors and readers could articulate or find “a new view of the world that made sense of the disturbing nature of reality.”¹⁷

The Temple has always served as a key motif in Jewish writings, both in reality and as a symbol. Almost all of the Torah material focusing on religious law, rights and cultural purity also refers to or deals with the Temple and the sacrificial cult. This comes as no surprise, as the ritual, moral and legal practices as they are written down in the books of Leviticus, Numbers and Deuteronomy had developed in direct relation to the Temple within priestly circles. The Babylonians, Seleucids and other oppressors who got hold of Jerusalem in different times, rocked and weakened the Temple state but it was not until the Roman invasion that its religious system of autonomy came to an end. The destruction of the Second Temple in 70 C.E. and the fall of Jerusalem signified both an ideological and social catastrophe for the Jewish people. Even if the events of 70 C.E. were only the peak of a series of desecrations

and 4 Ezra. It is however true, that most of the apocalypses reflect social situations of distress and calamity and it can be assumed that they were not only created within such a social situation but also received within a similar context.

17 Dereck Daschke, “‘If I forget you, Jerusalem’: Traumatic Memory and the Fall of Zion”, in *City of Ruins: Mourning the Destruction of Jerusalem through Jewish Apocalypse* ed. by Dereck Daschke (Leiden: Brill, 2010), pp. 1–60, (p.7).

and destructions, they were still so shattering that they were reflected in various, mostly apocalyptic texts. The loss of the Temple and the city thus began to function as a “master symbol”¹⁸ for the continuity of God’s protection of His chosen people, His presence and the prosperity of Israel. In applying this master symbol, especially apocalyptic texts tend to find a solution for the theological-sociological crisis stemming from the destruction of the Temple. Diasporan Jews as well as other groups who were already distant from the Temple both geographically and spiritually had already had to face the question of renewing the Jewish cultic life without the Temple. Now, also the Jews remaining in Jerusalem and/or making their pilgrimages to the Temple for atonement had to deal with the same issue.¹⁹ The religious ideas and structures that were formed in the Diaspora were now consolidated also for the rest of the Jewish community. By “recounting, examining and evaluating”²⁰ previous events, a basis for a new understanding of the present reality was created. What

18 Ibid. p.8.

19 In 167 B.C.E., Antiochus IV, as part of his Hellenistic religious reforms, had desecrated the Temple thereby throwing the Jewish people into a cultic crisis of the like. This event too is reflected in various texts as in *ApcAbr*. The whole subgenre of historical apocalypses is based on the events of 167 B.C.E. and the Hellenistic religious reforms.

20 Michael E. Stone, ‘Reactions to Destructions of the Second Temple’, in *Selected Studies in Pseudepigrapha and Apocrypha: With Special Reference to the Armenian Tradition* ed. by Michael E. Stone (SVTP 9; Leiden: Brill, 1991), pp.429–438, (p.430).

stemmed from it would be a “coherent Judaic religious system of belief and practice that did not require a focus on the Temple and its sacrificial cult.”²¹

The creation of a new ideological system of values and beliefs was dependent on a serious evaluation of events which was not an easy thing to do. Most of the apocalyptic texts contain a long passage in which the loss of the Temple is mourned. This shows how hard it was to revise and adapt the old concepts of faith which had been shaken to their very foundations. The destruction of the Second Temple became a national trauma which was experienced both individually and as part of the collective memory. Living in an environment of oppression and unpredictable political events led to bewilderment and disorientation. Also, God seemed fairly absent in an environment like this which led to the problem of theodicy becoming another major literary topic.²²

On the other hand, the national trauma guarantees a real and cultural salvation and healing. It paves the way for restoration and re-orientation of both the individual and collective identity. The new cultic identity is no longer bound to a single geographical place; sacrificial and other cultic practices are replaced by religious law

and its abidance thus forming the new basis for continuing the individual and collective covenant with God.²³

Even though the Temple and cultural practices are no longer in the focus of the texts, the attitude towards cult, priesthood and Temple does not change. They still serve as symbolic basic values of religion but lose their importance and function as real-life institutions. This decentralization leads to a literary marginalization of Zion and Temple in the following decades. New religious paradigms are developed which can completely do without a Temple and „routinely and naturally transferred their emphasis from Temple-and-cult-related issues to other aspects of Jewish practice and belief.“²⁴ Texts such as 3 Baruch, Paralipomena Jeremiae and 2 Enoch are most important in doing so.

There is one motif though that can be found in all of the texts that were composed after 70 C.E. whether they accept the Temple, Zion or cult as ideologically important or not. All of the texts are based upon the concept of salvation in the eschaton which will be initiated by God. Nevertheless, they call for acceptance of the present reality with all its woes and difficulties. Both individual and collective enhancement can only happen by accepting the present situation and living your life

21 Michael Tuval, ‘Doing without the Temple: Paradigms in Judaic Literature of the Diaspora’, in *Was 70 CE a Watershed in Jewish History? On Jews and Judaism before and after the Destruction of the Second Temple* ed. by Daniel R. Schwartz und Zeev Weiss (Leiden: Brill, 2012), pp.181–239, (p.185).

22 Cf. Daschke (see note 17), pp.13–15.

23 Cf. Christopher Rowland, ‘The Second Temple: Focus of Ideological Struggle?’ in *Templum Amicitiae: Essays on the Second Temple Presented to Ernst Bammel* ed. by William Horbury (JSNT Supp 48; Sheffield: Sheffield Academic Press, 1991), pp.175–198, (p.183).

24 Tuval (see note 21), p.188.

here and now. But not only accepting the present is crucial; abidance by the laws of God will accelerate the coming of the end of times. Thus, ideological authority and control over the situation and history can be regained. A new ideological-theological system of values is constructed in which cultural continuity can be restored by accepting the loss of old values and concepts of belief. Within the apocalyptic texts, the understanding and perception of the world is converted from being based on yearning for an idealized past to being based on the promise of a future that gives room to both idealism and realism.²⁵ The idealistic symbolic value of the Temple and the actual engagement with God's law as a guarantee for cultural identity and continuity both make the genre of apocalyptic texts very important and special. The texts revise traditional values and form a basis for a new understanding of cult, Temple and the power of God.

Most important in doing so are the books of 4 Ezra and 2 Baruch. Both texts choose the literary concepts of visions and an interpreting angel as a basis for their message. They give a historical overview over the events in context with the destruction of the Second Temple that serves for building up their theological concept of the destruction as a punishment for the cultic misbehavior of the chosen people. Both texts connect the destruction of the Second Temple to the events of 587 B.C.E. when the First Temple was destroyed by the Babylonians. The literary figures of Ezra

and Baruch witness the destruction and the conquest of the city of Jerusalem. They remain in shock and despair and start questioning God's grace, His almighty influence on the world and the sense of election of Israel as His chosen people. Confidence in salvation, the Final Judgment, the eschaton and the Messiah are picked out as central themes in both 4 Ezra and 2 Baruch. In 4 Ezra, the destruction of the Temple serves as a pre-condition for the beginning of the eschaton and the Final Judgment. Individual as well as national salvation can only be retrieved by reclaiming the religion of the fathers and returning to God and a righteous way of life. The call for return can be interpreted as a call for renunciation of the religious practices of the surrounding heathen cultures. 2 Baruch, too, connects the events of 70 C.E. to the guilt and culpability of the people in a classical deuteronomic way. By choosing the wrong gods and idolatrous practices over their fathers' religion, Israel has sinned before God. God is not described as an angry chastiser though. Rather, the destruction of the Temple is depicted as a sign of God's grace and justice. By allowing His own home to be destroyed, He provides His chosen people with the opportunity to reconsider their behavior, their ways of life and faith and opt for repentance and return. The loss of the Temple supports Israel's concentration onto the heavenly world which is directly related to the earthly present thereby connecting God with His people in an intimate relation. For 2 Baruch, salvation can

25 Daschke (see note 17), pp.21–24.

only be found in heaven and attained by everyone who will accept his individual fault and responsibility for the cultural crisis and repent. Whereas 2 Baruch sees God as the initiator of the end of times, 4 Ezra opts for a certain number of righteous people who need to repent for the eschaton to begin.

Confidence in salvation is connected to Final Judgment and the coming of the Messiah for both 4 Ezra and 2 Baruch. Still, the Messiah is mentioned only briefly and his description is inconsistent. 2 Baruch describes a classical messianic figure that is to serve both as a judge and king and to destroy Israel's enemies.²⁶ The description of the Messiah in 4 Ezra is less clear. On the one hand, the Messiah is considered to destroy Israel's heathen oppressors,²⁷ in a different part of the book, the Messiah is said to arrive only in the eschaton, *after* the destruction of the heathen that is.²⁸ In both texts, the Messiah is to gather the people at the end of days though. In the Final Judgment, the righteous will be rewarded and the heathen will be punished, a concept that can also be found in ApcAbr.

3. THE DESTRUCTION OF THE SECOND TEMPLE WITHIN THE SLAVONIC APOCALYPSE OF ABRAHAM

As has been mentioned before, the destruction of the Second Temple is crucial for ApcAbr. Thematically, it serves both as climax and as a source for close

examination of the already mentioned tension between election and oppression and Israel's transgression against God's laws. The events are shown in the seventh and final vision Abraham sees during his journey through the heavens (ApcAbr 27:1–3). All the other visions are only to prepare both the literary Abraham and the reader of the text for the events God will show them in the last visionary part. God already makes His intention clear in ApcAbr 9, where He announces Abraham the following:

ApcAbr 9:5 And in this sacrifice I shall set before you the ages 6 and make you know secrets, and you will see great things which you have not seen, since you loved to search for me, and I called you 'my friend' [...] **9** And there shall I show you the ages: things built and firmed, made and renewed by my word.²⁹

The diction and word choice of especially verse 9 make quite clear that the Temple is in consideration here. "Things built" (in Slavonic *szdanija*) refers to the building of the First Temple by Solomon; "and firmed", *outverzenija*, describes the commitment of the righteous kings in the First Temple period, who regulated the charges for the priests and the Temple thereby actively supporting the development of Temple and cult as it is described in 2 Kgs 12:5–16. "Made" (*sztvorenija*) refers to the building of the Second, Herodian, Temple whereas "renewed" refers to its second

26 Cf. 2 Bar 72.

27 Cf. 4 Ezra 13.

28 Cf. 4 Ezra 7:28–29.

29 The English translation is taken from Kulik's *Retroverting Slavonic Pseudepigrapha*.

consecration after the desecration under Antiochus IV. The Slavonic text reads *ponovenija*, (“renewal”) that can be traced back to the Greek ἐγκαίνια (*egkaínia*) which in itself is a direct translation of the Hebrew תְּנִיחָה. A proof for this translation can be found in the LXX-version of eg. Dan 3:2, Ezra 6:16–17 or Neh 12:27. In Ezra 6:16–17, the word תְּנִיחָה is used to describe the first consecration of the Second Temple and is thereby the first proof for this term from which later on the name for the festival of Hanukkah was derived. This makes it quite clear that by using the term *ponovenija*, “renewal”, the author of *ApcAbr* clearly had the (second) consecration of the Second Temple in mind.³⁰

God does not only want to show Abraham the destruction of the Temple. He also wants to show His “friend,” as He calls Abraham as a reward for his loyalty and fidelity, the reasons that have led to the destruction. They can be subsumed under two main categories. First, it is idolatry that caused God to get angry with His chosen people. Israel had chosen false gods and idols over their fathers’ laws and had adopted not only religiously wrong practices but also a lifestyle that is not in accordance with the law. This “fall of men” is the second main theme that is described as reason for the destruction of the Temple. In the following, both reasons shall be examined more closely.

3.1 REASONS FOR THE CATASTROPHE — IDOLATRY AND THE “FALL OF MEN”

The description of the destruction of the Temple starts in *ApcAbr* 25:

ApcAbr 25:1 I [Abraham] saw there the likeness of the idol of jealousy, as likeness of a craftsman’s [work] such as my father made, and its statue was of shining copper, and a man before it, and he was worshipping it; 2 and [there was] and altar opposite it and youths were slaughtered on it before the idol. 3 And I said to Him [God], ‘What is this idol, and what is the altar, and who are those being sacrificed, and who is the sacrificer, and what is the beautiful Temple which I see, art and beauty of your glory that lies beneath your throne?’

These verses take multiple references to the *Tanakh* and can also be interpreted in the light of the events in the late Second Temple period. The “likeness of the idol of jealousy” — Hebrew סִמְלֵי תַקְנִיחָה — is known from Ez 8:3 and picks up the story of King Manasseh, having erected various idol statues in the Temple, from 2 Chr 33:1–11 and 2 Kgs 21:7. In *ApcAbr* 25 too, God gets jealous over the false idols and “does not want to see his chosen people chasing after gods other than himself.”³¹ Both in the *Tanakh* texts

30 Cf. Kulik (see note 4), pp.46–47.

31 Kenneth R Jones, *Jewish Reactions to the Destruction of Jerusalem in A.D. 70: Apocalypses and Related Pseudepigrapha* (JSJSupp 151; Leiden: Brill, 2011), p.261.

and ApcAbr, the “idol of jealousy” serves as a symbol for Israel’s sins. Considering the time of origin of ApcAbr, the image can also be interpreted in a different, more historical, way. In 167 B.C.E., Antiochus IV seized Jerusalem and transformed the city into a Greek polis. In striving for complete Hellenization of the people of Judah, he finally dedicated the Temple to the Greek Zeus Olympios. Many religious reforms and anti-Jewish laws were issued alongside which penalized e.g. observance of the Shabbat, possession of a Torah scroll or performing the Tamid sacrifice.³² By erecting a golden statue of Zeus in the Holy of Holies the cult finally came to an end. It is not sure whether the statue described in 1 Macc 1:54 as βδέλυγμα ρημώσεως (bdélygma erēmōseōs) was indeed a statue of Zeus. The term itself is known from its Hebrew form of שְׁקִיף מְמִשָּׁה, known also as “abomination of desolation” from the book of Daniel.³³ In any case, it is clear that the erection of an image of a false god other than the God of Israel, who as such deserves no image at all, must have thrown the people of Judah into a cultic crisis. Symbolically, the erection is interpreted both in ApcAbr and in Ez 8:1–13 as the ultimate consequence of cultic misbehavior of the chosen people.

The image of youths getting slaughtered at the altar in ApcAbr 25:2 can also be understood in the light of

the Hellenistic religious reforms of Antiochus IV. The altar refers to the pagan sacrifices that were practiced in the Temple at that time in order to desecrate it.³⁴ The interpretation of the slaughtered youth is quite difficult. To begin with, there are certain linguistic inconsistencies. The Slavonic *otrokъ* or *otročā* (in ApcAbr 25:2 in the plural form *otroci*) can describe either a child in general, a (male) youth or a young (male) adult.³⁵ There is no proof of any child sacrifices during the reign of the Seleucids in Judah. The passage might refer to the misbehavior of Manasseh though. 2 Kgs 21:4–7 and 2 Chr 33:4–6 describe how King Manasseh had even sacrificed his own sons. The image in ApcAbr 25:2 serves as another symbol for the perverseness of the cult and calls for renunciation from Hellenistic practices. In context with the Hellenistic religious reforms, the passage can also be interpreted as a reference to young Jewish men who had revolted against Antiochus IV and were punished with execution.³⁶

From the interpretation of the first three verses it becomes clear, that idolatry and a cultic and social misbehavior of the chosen people are seen as the reasons for the destruction of the Temple. The destruction itself

32 Cf. 2 Macc 6:1–9; 1 Macc 1:41–51.

33 Dan 9:27; 11:31 and 12:11. The term שְׁקִיף מְמִשָּׁה was already used in Dtn 7:25f; 29:16 and in 1 Kgs 11:5;7 as well as in 2 Kgs 23:13–14 in order to describe an idol or image of a god, that is not the God of Israel.

34 Cf. 2 Macc 6:5, 1 Macc 1:47.

35 Cf. Izmail I. Sreznevskij, ‘отрокъ (otrokъ)’, *Materialy dlja slovarja drevne-russkago jazyka: po pismennymъ pamjatnikamъ*, 2:p.764; und Grigorij D’jačenko, ‘отрокъ (otrokъ)’, in *Polnyj cerkovno-slavjanskij slovar’: so vnesenietъ vъ nego važnēšix drevne-russkixъ slovъ i vyražēnij*, pp.397–398.

36 Cf. 2 Macc 6:9 and Josephus, *Ant.*12.255.

is described in colorful words and with dreadful images (ApcAbr 27:1–5). People of all ages, men, women and children, get captured, raped and sometimes killed. The oppressors pillage the Temple and set fire to it. All these events are also described by Josephus in his *Bellum Judaicum*.³⁷ The fact, that even the Temple vessels are stolen by the oppressors shows that the author of ApcAbr has no hope for the reactivation of the cult, other than 2 Baruch or 4 Ezra where the Temple vessels are saved before the Temple is sacked. ApcAbr 27:7–8 provides not only a summary of the events described earlier but also shows God’s reasons for letting the catastrophe happen:

ApcAbr 27:7 And He [God] said to me [Abraham], ‘Listen, Abraham, all that you have seen will happen because of your seed who will provoke me, because of the idol and the murder which you saw in the picture in the Temple of jealousy. 8 And it will be as you have seen.’

But how has Abraham’s seed managed to provoke God? The answer to this question is given in various passages just before the description of the destruction. The motif of idolatry is introduced even earlier in the book. It starts with Abraham’s father Terah and continues right until the final section of ApcAbr. There is no doubt, that idolatry is the key topic and problem of the text.

In almost all apocryphal texts, Abraham is described as a key figure

in the fight against idolatry and as the first monotheist par excellence. Within the rabbinic literary corpus³⁸ as well as in texts such as the Book of Jubilees, in Philo’s and Josephus’ works, Abraham is even promoted as an iconoclast. In ApcAbr, the topic of idolatry is dealt with in form of a midrashic exegesis, mystical speculation and apocalyptic understanding. All these forms become intertwined in the text in order to support its main concern — the renunciation of idolatry. It functions as a basis for Jewish identity that faces a lot of difficulties in an environment of paganism. Abraham’s refusal to accept his father’s idolatrous practices becomes the precondition for his election and ascension to heaven. The gods of Terah are shown as parodies of themselves — stone statues break when they fall to the floor and wooden servants burn when they are placed near the fireside.³⁹ This leads Abraham to muse about their possible powers. His conclusion is simple — there is nothing on earth more powerful than God which is proof enough for God to lead Abraham on to an otherworldly journey. Abraham is shown human life beginning with Adam and Eve which is full of different sins and iniquities. All of these stem from worshipping the false gods because people did not listen to God and His commands. What God implies in ApcAbr 26:2–4 is that He has provided man with a free will and even if

38 Cf. GenR 38:19, Midrash HaGadol on Genesis and Tanna debe Elijahu 2:25.

39 The description of Terah’s idols evokes certain passages from the *Tanakh* such as Jes 44:9–20; Jer 10:1–16 or Ps 115:3–8.

37 Josephus, *Bell.* 6.220ff.

He has the power to control man's ways, man can choose between right and wrong. In ApcAbr, all sins of mankind are "epitomized as idolatry and thus a matter of choice."⁴⁰ But not only sin is a matter of choice, man is free to choose repentance and God will be graceful enough as to let the repentant enter into His covenant once more. ApcAbr makes it quite clear — those who worship false gods and idols will lose their status as part of a chosen people and will ultimately be destroyed as was Terah in his burning house. Terah's personal Temple suffers the same fate as the Temple in Jerusalem. Conversely, those who will stick to God's commandments or will return to their fathers' laws will enter the eschaton as heavenly priests alongside Abraham.

The "fall of man" motif is intimately connected with the motif of idolatry. In ApcAbr 23, Adam and Eve are shown as the first idolaters and the first sinners who have acted against God's commands. ApcAbr is relying on Plato's dualistic world concept interpreted by Philo where Adam represents the Greek *νοῦς* (*nous*) — mind and reason, while Eve represents *αἰσθησις* (*aisthēsis*) — the aesthetic and sensual sentiment. Adam is given the capacity to think and to exercise reflective thinking by God. His mind and reason are seen as the organ of receiving God's thoughts through faith. Adam is to lead Eve, that is, mind

is to control sentiment. When Eve takes the fruit from the Tree of Knowledge and gives it to Adam, sentiment manages to overpower mind. Thus, the divinely created balance between mind and sentiment is shattered which is interpreted as the basis for all human sin in ApcAbr 23. The imbalance results from man's desire for outrageous and errant behavior which he can choose to act on because of his God-given free will. ApcAbr 24 goes on in showing how this desire to act against God's commands has manifested itself in many different ways. Beginning with Adam and Eve, what follows is murder (Cain and Abel, ApcAbr 24:5), fornication, defilement, jealousy and corruption (ApcAbr 24:6) as well as theft, judgment of retribution and same-sex union⁴¹ (ApcAbr 24:8). All of these sins act against the Ten Commandments not only separately but as a whole. Some of these misdeeds take reference to the *Tanakh* where they almost always are closely connected

40 Daniel C. Harlow, 'Idolatry and Alterity: Israel and the Nations in the *Apocalypse of Abraham*', in *The "Other" in Second Temple Judaism: Essays in Honor of John J. Collins* ed. by John J. Collins and Daniel C. Harlow (Grand Rapids, Mich.: Eerdmans, 2010), pp.302–330, (p.322).

41 Same-sex union is only implicitly mentioned in ApcAbr 24:8. Two bare-headed men are shown head against head which has been interpreted as two men lying next to each other in intimate relation. This is most probably to refer to the common practice of same-sex relations with both the Greek and the Romans. In this, ApcAbr can be connected to the Sibylline Oracle which describes the heathen oppressors — here the Phoenicians, the Latins, Egyptians and Greeks — as pederasts thereby contrasting Jewish practices of marriage and intimacy (SibOr III.595–600). Both in SibOr and in ApcAbr, same-sex union is interpreted as idolatrous since it is not in any way in accordance with God's commands. Both religiously and socially, same-sex union is non-standard and thus connected with non-standard cultic practices. Cf. Mayerhofer (see note 12), pp.65–67.

with the classical idolatry discourse. In Hos 5:3, fornication with prostitutes is allegorically described as apostasy; Jer 2:20–24 sees fornication and greed as a direct consequence of the renunciation of God. Ez 22:3–4 connects violence and murder with idolatry whereas in Ps 106:39, murder, violence, fornication and child sacrifice are subsumed as part of Israel’s idolatrous practices that have led to defilement and loss of their status as the chosen people.

Taking into consideration both the motifs of idolatry and the fall of man, a tripartite system of reasons for the catastrophe of 70 C.E. can be deduced. The first reason, as has been shown extensively, is idolatry. The fall of man — beginning with Adam, Eve and Cain’s sinful misdeed thereby symbolically forerunning all earthly offences against God’s law and commandments — is the second reason and does not only take reference to the people of Israel but also to the heathen oppressor nations. The third and last reason is the profanation of the Temple itself which is described in ApcAbr 25:1–6 and has been mentioned before. The destruction of the Temple becomes a “péché fondamental imputable”⁴² for Abraham’s descendants because they themselves have chosen to break their covenant with God.

3.2 CONSEQUENCES AND SALVATION

With the description of the “idol of jealousy” in ApcAbr 27, the eschatological concern of the text

becomes apparent. It becomes manifest in the report of the coming of the end of times that follows the vision of the destruction of the Temple. First, God reveals the duration of the end of times which will — according to ApcAbr 29:2 — last for twelve eschatological hours. Each hour lasts for 100 years. These 1200 years separate destruction of the Second Temple and the religious and social crisis following it from the building of Jerusalem as the center of King David’s empire. At the end of the 12th hour, God will make His Final Judgment which functions as the ultimate consequence of the destruction of the Temple. It will precede the salvation of the righteous and the punishment for the sinners.

The announcement of salvation is connected to a strange figure Abraham can see in ApcAbr 29:4–6. The figure clearly functions in a way the classical Messiah figure does but it is not described with any messianic attributes such as being both an earthly, royal and priestly figure. This unclear description of the Messiah figure in ApcAbr has given rise to many speculations. It was often proposed that the entire 29th chapter of the text might be a Christian interpolation. Many researchers have opted for this theory that Box first came up with in the early 20th century.⁴³ Until today, the theory has not been proven. Fact is, that the description of the figure is inconsistent — once, the man is described as coming from the heathen side, in another part of the text he is described as being part of

42 Rubinkiewicz (see note 11), p.148.

43 Cf. Box (see note 3), p.53.

Abraham's offspring. Kulik proposes a twofold Messiah basing his assumption on the Two Messiah Concept that can be found in various texts from the Dead Sea.⁴⁴ The messianic figures in ApcAbr represent both a real and a false Messiah. The true Messiah comes after the false Messiah and functions as a tempter and trier for the righteous people who need to choose between right and wrong. This moment once again implies the people's need to choose between right and false cultic practices. The author's call for repentance and return to old tradition once more becomes apparent in the story about the two Messiahs.⁴⁵

In any case, the role which the messianic figure plays in ApcAbr is only marginal. He does not take the traditional role of a redeemer and latter-day liberator. His only purpose is to gather the people at the beginning of the end of days. It is the chosen people's destiny and future ApcAbr is focused on and which is described in length in ApcAbr 29:4–13. Abraham serves as *pars pro toto* for all righteous remnants of his people, his actions serve as a role-model for his descendants to convince them to keep faith or return.

In ApcAbr 29:14–21, God announces the Final Judgment as the last act at the end of the 12th eschatological

hour when the time of crises and woes will come to an end. It serves as a direct and ultimate consequence for all the misdeeds that have led to the destruction of the Temple. Therein, it concerns three different groups — the heathen sinners, the righteous and the apostates. Typologically, the description of the judgment is based on the Exodus narrative. The events described in the book of Exodus have influenced and marked Israel's identity and self-conception more than any other event. The concept of God's favoring and election is manifested in ApcAbr 29:17 and serves as basis for the salvation from the terrible religious and socio-economic crisis. The destruction of the heathen enemies too follows the Exodus narrative and reminds the ten plagues which will afflict them at the end of days. In contrast, the righteous will enter the heavenly Jerusalem where the Temple will be rebuilt and the cult will be re-established in its traditional form. Apostates who repent and start to search for God again will also be saved eventually.⁴⁶

In this process, it is quite interesting that ApcAbr enables the righteous to take an active part in the Final Judgment and their own salvation. They shall not only take control of their destiny by remaining loyal to their God but can even enter the fight against their heathen oppressors. By doing so, they will not only "rise up to destroy the gentile

44 Cf. 1QSerekh Ha'Edah, 1QS, 1QSb, 1Q30, 1QM and 4Q521. Besides the texts from the Dead Sea, the concept is also addressed in the Talmud — cf. bSan98 and bSukk 52a.

45 For an extensive discussion of the problematic description of the Messiah in ApcAbr cf. Mayerhofer (see note 12), pp.71–77.

46 Both of these salvatory motifs can also be found in the *Cairo Damascus Document* (4Q271D).

overlords”⁴⁷ but will eventually gain “free reign to destroy the unrighteous and re-establish the cult.”⁴⁸ Finally, the oppressed will be the oppressors and vice versa.

The description of the end of days and the dawning of the eschaton ends in ApcAbr 29:21 with God asking Abraham to accept his destiny and teach his descendants what he has learned. Abraham himself is to take his lesson from what he has seen in the visions and is to bring up his descendants to faithfulness with his values and the example he has set. The very last verse of chapter 29 makes it clear that salvation is entirely connected with Abraham himself. Abraham functions as guarantor for salvation of his people only if he chooses to play his role actively. Nevertheless, salvation is not granted automatically for all his offspring; only those who will live in accordance with God’s laws and commandments will be redeemed. Thus, salvation is entirely a matter of belonging to Abraham, not only by kinship but especially by keeping his religious values and traditions.

Considering the contents of the text it could rather have ended with the last verse of chapter 29. The message is conveyed and elaborated extensively, even so, the author adds two more chapters that are equally important. The final chapters offer another interpretation of the vision about the Final Judgment, the end of times and

the consequence of the destruction of the Temple which Abraham sees in ApcAbr 29:9–21. ApcAbr 30:4–8 describes the ten plagues that will afflict the heathen at the end of times. The plagues do not all correspond to the traditional Ten Plagues motif from the book of Exodus. They are mixed up with certain moments from other texts such as Deuteronomy, Leviticus and Ezekiel. In connecting the plagues to the eschaton, ApcAbr draws especially on Ez 14:21 and Jer 27:8 where God uses his plagues to punish Israel’s heathen oppressors. Even though the plagues will afflict “all earthly creation” (ApcAbr 29:15), the righteous will be spared the pain if they stay faithful and loyal to their God. ApcAbr 31 focuses on the apostates offering them the possibility of salvation if they decide to return to God. If they do not wish to do so, they will suffer the same fate as the heathen oppressors. The very last part of ApcAbr once and for all makes it quite clear that it is “not the Jewish people in its entirety who will be saved, but only those who reject the idolatrous worship of the man from the heathen.”⁴⁹

4. COMPARISON

The Slavonic Apocalypse of Abraham can be compared with a variety of other apocalyptic Jewish writings. For the purpose of this article, I have chosen 4 Ezra, 2 Baruch, 3 Baruch and ParJer.⁵⁰

47 J. R. Mueller, ‘The Apocalypse of Abraham and the Destruction of the Second Jewish Temple’, *Society of Biblical Literature Seminar Papers* 21 (1982), 341–349 (p.348).

48 *Idem*.

49 Jones (see note 31), p.267.

50 The *Paralipomena of Jeremiah* are also known as 4 Baruch. With regards to its content, the text of ParJer can be interpreted as a continuation of the narrative already presented in 2 Baruch and

These texts are part of a very narrow canon of literary witnesses of the events of 70 C.E.⁵¹ and feature the same major topics as ApcAbr — the destruction of the Temple and its consequences, hope for salvation, justice of God and retaliation against the Jews' heathen oppressors. Yet, all of these topics function differently in these texts as they do in ApcAbr. Plus, none of these texts have survived in their original language, which makes their interpretation complicated yet intriguing. The five texts in question shall be compared on four different levels — not only according to their key topics, but also according to formal criteria, their description of the end of times and the depiction of the Temple and its destruction.⁵²

3 Baruch. ParJer does not however feature Baruch as its main character but focuses on the deeds of Baruch's employer Jeremiah. According to its Greek tradition, the fourth book of Baruch is thus called *Paralipomena of Jeremiah*.

51 Other than the above mentioned texts and ApcAbr, only Josephus in his *Bellum Judaicum* and Matthew report on the destruction of the Second Temple. Rabbinical sources are oblique; both Mishnah and Tosefta describe the situation as though the Temple still existed. Both the Babylonian and the Jerusalem Talmud focus on the consequences of the destruction but not the destruction itself. A definite response to the events of 70 C.E. can only be found in *Lamentation Rabbah*, a midrash that can be dated to the 5th century only and is thus already far away from the actual events. Cf. Robert Kirshner, 'Apocalyptic and Rabbinic Responses to the Destruction of 70', *Harvard Theological Review* 78:1–2 (1985), 27–46 (pp.28–29).

52 ApcAbr could also be compared with other texts, eg. Merkavah mysticism or the Hekhalot literature as well as with Ezekielian and Enochic traditions. Given the limited space of this article,

As far as formal criteria are concerned, ApcAbr and 3 Baruch are the only texts that choose an *otherworldly journey* as means of showing the divine mysteries to their protagonists. In 4 Ezra, 2 Baruch and ParJer, the main characters Ezra, Baruch and Jeremiah remain on earth and in full consciousness all the time. Nevertheless, there are certain differences between ApcAbr and 3 Baruch. Baruch travels through all the heavens separately, starting in the outer sphere and continuing up to the fifth heaven. Abraham is accompanied by angel Yahoel who leads him straight up to the highest sphere where Abraham enters an intimate dialogue with God and looks down on to the lower spheres. This form of ascension, where the literary protagonist reaches the highest sphere at once is only described in ApcAbr and can not be found in any other apocalyptic text.⁵³ Even Enoch, the pioneer of heavenly journeys, does not reach the last sphere directly but has to travel through each heaven one after another.⁵⁴ That Baruch can only travel through five of seven heavens might be due to a loss of text.

Apart from ParJer, all the other texts do contain a classical description of the protagonists' visions. By lacking this formal criterion, ParJer can not be classified as an apocalyptic text. Still, it

a comparison like this has to be saved for a probable further contribution to this journal.

53 On the peculiarities of Abraham's heavenly journey cf. Martha Himmelfarb, *Ascent to Heaven in Jewish and Christian Apocalypses* (Oxford: Oxford University Press, 1993), pp.61–66.

54 Cf. 1 En 17–36.

is interesting and equally important for a comparison with ApcAbr. In all the other texts, alongside the visions, there is an *angelus interpretes* who helps the protagonists to understand what they have been shown in their dreams or dialogues with God. In 4 Ezra, 2 Baruch and 3 Baruch it is archangel Uriel who enters the scene, also sometimes named Phamael, Phanuel, Ramel or Rumiel. Yahoel, the angel who guides Abraham through the heavens is not known either as one of the archangels nor does he appear anywhere in the *Tanakh* or elsewhere in related texts. Considering his attributes and his function as an “angelic viceregent and heavenly choirmaster,”⁵⁵ as well as the fact that he bears the divine name even twice in his own name⁵⁶ it is possible though to see Yahoel in a very close connection with the archangels from Jewish tradition.

There is a final formal criterion in which ApcAbr clearly differs from all the other texts. All of them literarily and symbolically connect the destruction of the Second Temple in 70 C.E. with the destruction of the First Temple in

587 B.C.E. The Babylonians are accused as heathen oppressors who will be destroyed at the beginning of the end of times. ApcAbr does not mention the destruction of 587 B.C.E. but makes it explicit, that it is the Second Temple and the Romans that the author has in mind.

Considering the key topics there are many parallels between the texts in consideration and ApcAbr. One of the main themes all texts deal with is the problem of theodicy. Facing a theological crisis which modifies the expectation of a divine salvatory presence on earth, all of the texts have to address the question of how and why God had permitted such a great suffering to be inflicted on His chosen people. This topic is treated extensively in the four comparative texts whereas ApcAbr does not deal with it for more than a verse (ApcAbr 20:7). For the author of ApcAbr it is clear that the destruction of the Temple is God’s punishment for his people’s misbehavior and connected with the principle of free will. By choosing to act against God’s commands, man has also chosen to put his status and his relation with God at a risk. ApcAbr is very sure of God’s grace and the correctness and righteousness of His actions; this is why the question of theodicy does not quite arise for the author.

A topic that is addressed and treated extensively in ApcAbr is the cultic failure of the chosen people. Its misdeeds have annoyed God and caused His withdrawal from His home in the Temple. Thereby, He enables Israel’s enemies to conquer

55 Harlow (see note 40), p.312. In ApcAbr 10:9–12, Yahoel is described as reconciler of “the rivalries of the Living Creatures of the Cherubim against one another,” as teacher of “those who bear him [to sing] the Song in the middle of man’s night,” the ruler over the Leviathans and finally as having been ordered by God to burn down Terah’s house.

56 The name Yahoel (Slavonic *naoilъ* [ApcAbr 10:3], *iloilъ* [ApcAbr 10:8] and *iaoilъ* [ApcAbr 17:13]) is a contraction of the tetragrammaton and the byname אֱלֹהִים . His functions resemble those of Enoch-Metatron in the Hekhalot literature whose power too is based on him bearing the divine name in his own name.

Jerusalem and destroy the Temple. ApcAbr thus does not believe in the myth of indestructibility of the Temple as do 4 Ezra and 2 Baruch.⁵⁷ This motif of cultic failure and God's withdrawal though can be found in all the other texts in consideration. 3 Baruch goes further and does not only mention Israel's cultic failure but implicates every person's morally abhorrent behavior as a reason for the catastrophe. ParJer on the other hand does not explicitly connect any misdeed with the destruction but sees the reasons for the crisis in more general terms — both cultic and social acculturation with the heathen environment have led to God's withdrawal. Idolatry is mentioned explicitly only in 2 Baruch and ApcAbr even though 2 Baruch does not call for repentance the way ApcAbr does. Except for ApcAbr and ParJer, the texts all call out for returning to the old practices by concentration on the study of the Torah. In ApcAbr, the Torah and its study are never mentioned, neither in general or as a substitute for Temple worship. The evaluation of the importance of the Torah is connected to the hope for restoration of the Temple. In not accepting the Torah as a possible substitute for the Temple and the cultic practices, ApcAbr wants its readers to

believe that there will be a restoration of the earthly sanctuary in the eschaton. The laws and commandments have to be followed in order to reach the eschaton but finally, the traditional order will be re-established. Except for ParJer which draws on a similar concept of salvation and restoration, all the other texts do not hope for the earthly Temple to be rebuilt at the end of time. 4 Ezra and 2 Baruch hope for a heavenly Temple though which is to serve as a sanctuary for the righteous after their entry into the New Jerusalem.

Apart from various parallels with the abovementioned texts, there are also certain moments in ApcAbr that can not be found in any other literary works and thus make the text so very unique. First, it is the strong emphasis on cult that is addressed extensively only in ApcAbr and can be found throughout the entire text as a key narrative. ApcAbr does not only deal with cultic failure — most of all in the form of idolatry — but does evaluate Israel's loyalty to God which is manifested in its cultic practices. Not only Israel's cultic failure but also other nations' religious misdeeds are condemned harshly. Both become a basis and the ultimate reason for the destruction of the Temple as a consequence of its previous defilement. Conversely, ApcAbr promises a restoration of traditional cultic practices alongside salvation in the eschaton.

Considering this emphasis on cult, it is very interesting that the Torah does not even play a marginal role in ApcAbr as has been mentioned before.

57 The myth of indestructibility of the Temple as a place where God dwells can be found in different texts from the Second Temple period such as in Jub 1:27; 25:21; SibOr V.400 and in Josephus, *Bell.*6.300. Josephus especially refers to Ez 10:18, where God's *דֹבֵי* is reported to have departed from the Temple thereby enabling its destruction. Cf. Rowland (see note 23), p.182.

All the other texts in comparison see the Torah and those who study and teach it as “indispensable constituents for reconstruction.”⁵⁸ The Torah is mentioned only once and very briefly in ApcAbr 31:4. Even so, the passage does not refer to the Torah as a whole and to its study as a substitute for Temple worship but only calls for obeying its commandments and laws. As mentioned before, this neglecting of the Torah in ApcAbr is connected to the author’s hope for practical restoration of the earthly Temple in the eschaton.

Despite the emphasis on cult and the call for repentance and return, ApcAbr does not give a direct admonition to its readers. Fornication, theft, murder and other misdeeds are condemned (ApcAbr 24:6–9) but still there is no direct call for opposite behavior. In ApcAbr, moral admonition is uttered only vaguely and in very general terms and does not guarantee a salvation.

ApcAbr’s description of salvation itself does also differ a lot from the other texts. In ApcAbr, the salvation functions as a direct act by God who will join His people in the fight for it. The righteous take an active role in the destruction of their oppressors. With God’s active and direct support, they can take their own destiny in their hands being given a “free reign to destroy the unrighteous and re-establish the cult.”⁵⁹ Hereby, ApcAbr appears as fundamentally different from the other texts which all show a very pacifist approach towards salvation and Final Judgment. In 4 Ezra

and 2 Baruch, salvation is entirely an act of God and the redeemer He will send forth. ApcAbr too does describe a Messiah figure but here, his only function is to gather the people at the end of days (ApcAbr 31:1). The Messiah in ApcAbr does not play an active role in the salvation of the righteous. Rather, all who will actively renounce idolatry and cultic misbehavior will be given the strength to defend themselves against their heathen oppressors and redeem their own people. Eventually, they will enter the heavenly Jerusalem together with God.

5. CONCLUSION

The analysis of ApcAbr and its comparison with other apocalypses from the same time has shown, that the picture of the history of Israel which is drawn in the text, is entirely put into perspective by means of the events of 70 C.E. The destruction of the Second Temple creates a break in the history of Israel’s loyalty to God. At the same time, it is a reminiscent of the contradiction between God’s omnipotence and grace and the existence of evil in the world. Its status as a chosen people is no longer compatible with Israel’s surrounding reality. ApcAbr’s goal is to solve this problem.

The actual event of the destruction of the Temple is not the focus of the text though. Although the destruction is very important for the continuation of a traditional worldview, ApcAbr is less concerned with a solution and an answer to the problem of 70 C.E. in particular. Rather, the questions and problems

58 Nickelsburg (see note 13), p.288.

59 Mueller (see note 47), p.348.

the text is primarily concerned with, are of a more universal significance. The existence of evil in the world plays an equally important role as does Israel's religious and cultic identity. For *ApcAbr*, the catastrophe of 70 C.E. is only a direct cause for the cultic failure of the chosen people. Israel has turned away from God by means of wrong cultic and even pagan practices. Idolatry plays a key role within *ApcAbr*. Harlow even suggested that the question and problem of idolatry really is the text's main concern rather than the destruction of the Temple.⁶⁰ In fact, idolatry serves both as the main prefatory and closing literary motif of *ApcAbr*. Nevertheless, it can not be interpreted as separate from the destruction of the Temple. Both topics are closely intertwined; they depend on and complement each other. Any cultic, moral or social misbehavior of the chosen people is allegorically summarized in the motif of idolatry which then is interpreted as a "universal error in metaphysics."⁶¹ Another main concern of *ApcAbr* is the call for return to Israel's fathers' laws, for repentance and despair of a wrong religious and social way of life.

The destruction of the Second Temple is seen as God's ultimate warning to His chosen people. By permitting heathen oppressors to destroy His home and place of earthly adoration, God has shown once more that those who will act against His laws and commandments will be punished harshly. This punishment comes with

direct consequence also for the righteous among His people. They are equally affected by the same crisis even though they have not been among those who caused it. The reward for their righteous behavior lies in the future and will unfold itself before them in quite a different way than before the sinners. The crisis stemming from the catastrophe will cause an ultimate separation between righteous and sinners. While the latter will be condemned forever, the "purified remnant" will face a glorious future life with God.

By giving a whole new understanding of the destruction of the Temple, the reader of *ApcAbr* ought to understand the present critical situation as in accordance with God's will and order of the world being only the final step in to the eschaton. By accepting this fact, man will find a sense in life again, his religious loyalty will be affirmed and he will regain capacity to act within the divine and real life limitations. This new concept of understanding and interpreting the events of 70 C.E., supporting the call for repentance and return, is an aspect very special and particular for the Slavonic Apocalypse of Abraham. The comparison with the four abovementioned texts, serving as a *pars pro toto* of the apocalyptic literary genre, has shown the uniqueness of *ApcAbr* in this form of understanding the destruction of the Second Temple. By being empowered by God, the righteous can play a very active role within their own salvation. The reader can easily identify with this concept and commit himself to God's omnipotence

60 Cf. Harlow (see note 40), pp.327–330.

61 *Ibid.* p.328.

which serves as a guide for the right time for the solution of the present crisis. Anyone who will return to his or her father's laws will find eternal happiness and bliss with, through and by God; as it is stated in ApcAbr 29:19 — “and they will rejoice over me forever!”

With this new theological concept, ApcAbr takes a very special part among the apocalypses that deal with the destruction of the Temple. Nevertheless, ApcAbr has often been neglected and less interpreted than other texts from the same period such as eg. 4 Ezra and 2 Baruch. The analysis of ApcAbr has proven that this is quite obviously unfounded. ApcAbr contains a variety of both substantive and formal elements which are unique within the apocalyptic genre and which are worth scrutinizing carefully. On various different levels, the Slavonic Apocalypse of Abraham can clearly be seen as one of the most interesting compositions both within Jewish and Slavonic history of literature.

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**“DU, MEIN LIEBER
VATER, SEI GEKÜSST
VON DEINEM DICH
BIS ZUM LETZTEN
ATEMZUG LIEBENDEN
SOHN POLDI”:
AUSTRIAN-JEWISH
FIELD POSTAL LETTERS
TO THE FAMILY DURING
WORLD WAR I
PUBLISHED
IN DR. BLOCH’S
OESTERREICHISCHE
WOCHENSCHRIFT
BRITTA WEDAM**

This article deals with letters which were primarily private documents passed between members of a family and were then exploited as propaganda in World War I through their publication in newspapers. Individual experiences and emotions are thus elevated to a level of collective patriotic engagement. The main points of this article are the transformation of fallen soldiers into heroes of the fatherland, the Jewish fight against anti-Semitism and an adherence to Jewish identity. It is essentially an examination in the field of German philology so it is based on original quotes.

INTRODUCTION

The military postal service was an important communication medium between the front lines and home during World War I. In Germany, an estimated 28.7 billion pieces of mail¹ were transported by the postal service during WWI. For the writers, these letters and postcards provided a means of maintaining their relationships with relatives and friends, as well as preserving a kind of order in the chaos caused by the war. Peter Knoch calls letters an “essential connecting fibre between familiar people”,² emphasising the psychological need to send signs of life so as to fortify the steadfastness of people in war.³ The letters examined in this article provide an account of

the “encounter of man with war”⁴ and the consequences on the family of the respective writers. Nikolaus Buschmann even calls these letters a means of transcending the trenches, bridging the divide between the front and home: “By these means, families who were torn apart because of the war were consolidated again; the sexes were assigned to their particular places.”⁵ Ute Daniel points out: “The male population is only existent in letters.”⁶ For this reason, correspondence becomes

1 Bernd Ulrich, ‘Feldpostbriefe im Ersten Weltkrieg – Bedeutung und Zensur’ in *Die Rekonstruktion des Kriegsalltags als Aufgabe der historischen Forschung und der Friedenserziehung* ed. by Peter Knoch (Stuttgart: Metzler, 1989), p.43.

2 Peter Knoch, ‘Kriegsalltag’ in *Die Rekonstruktion des Kriegsalltags als Aufgabe der historischen Forschung und der Friedenserziehung* ed. by Peter Knoch (Stuttgart: Metzler, 1989), p.223.

3 Cf. *ibid.*, p. 227.

4 Manfred Hettling, Michael Jeismann, ‘Der Weltkrieg als Epos. Philipp Witkops “Kriegsbriefe gefallener Studenten” in “Keiner fühlt sich hier mehr als Mensch...”’. *Erlebnis und Wirkung des Ersten Weltkriegs* ed. by Gerhard Hirschfeld, Gerd Krumeich and Irina Renz (Frankfurt: Fischer Taschenbuch Verlag, 1996), p.225.

5 Nikolaus Buschmann, ‘Der verschwiegene Krieg: Kommunikation zwischen Front und Heimatfront’ in *Kriegserfahrungen. Studien zur Sozial- und Mentalitätsgeschichte des Ersten Weltkrieges* ed. by Gerhard Hirschfeld, Gerd Krumeich, Dieter Langewiesche and Hans-Peter Ullmann (Essen: Klartext, 1997), p.213.

6 Ute Daniel, *Frauen in Enzyklopädie Erster Weltkrieg* ed. by Gerhard Hirschfeld, Gerd Krumeich and Irina Renz. 2., revised edition (Paderborn [et al.]: Ferdinand Schöningh, 2004), p.120.

the most important means of communication between families and friends who had become separated,⁷ even instilling a form of “ammunition” for the soldiers’ beleaguered hearts in the form of propaganda.⁸ Klaus Latzel regards the analysis of army postal letters as a possibility to reconstruct perspectives and the experience of war, although there might be methodological difficulties here such as the generalisation of individual reports with all their gaps in perception and emotionality.⁹ Shortly after the outbreak of war, private persons were called by publishers¹⁰ and organizations to provide letters for collections, mainly for propagandistic reasons. During wartime, letters from the front, so-called “Feldpostbriefe”, were printed in newspapers and independent publications. They served to document the

soldiers’ patriotic attitude¹¹ and were connected to the public discourse as a kind of “voice from the trenches”.¹² On the one hand, published personal letters served as a kind of propaganda,¹³ on the other hand they also function as an important historic documentation of the mindset during World War I,¹⁴ as they show emotions and experiences. Letters released for public consumption have a different significance when compared to private communications because their publication served the purposes of mobilisation and patriotism. These field postal letters are subject to triple censorship: the writer chooses what he wants or can report about (so-called “internalised censorship”); second, the army postal service was controlled by ranking military and postal inspection agencies. In addition, letters which were to be published were reviewed by the censors in the War Press Office.¹⁵ It can be assumed that only a small proportion of letters and cards actually sent were later published in the media, and certain criteria like patriotism and the underpinning of the meaning of war had to be

7 Cf. *ibid.* p.121.

8 Cf. Angelika Tramitz ‘Vom Umgang mit Helden. Kriegs(vor)schriften und Benimmregeln für deutsche Frauen im Ersten Weltkrieg’ in *Die Rekonstruktion des Kriegsalltags als Aufgabe der historischen Forschung und der Friedenserziehung* ed. by Peter Knoch (Stuttgart: Metzler, 1989), p.99.

9 Cf. Klaus Latzel, ‘Die Zumutungen des Krieges und der Liebe – zwei Annäherungen an Feldpostbriefe’ in *Die Rekonstruktion des Kriegsalltags als Aufgabe der historischen Forschung und der Friedenserziehung* ed. by Peter Knoch (Stuttgart: Metzler, 1989), p. 204.

10 E.g. Eugen Tannenbaum, *Kriegsbriefe deutscher und österreichischer Juden* or Philipp Witkop, *Kriegsbriefe gefallener Studenten*.

11 Cf. Hettling; Jeismann, *Der Weltkrieg als Epos* (see note 4), p.207.

12 Buschmann, *Der verschwiegene Krieg* (see note 5), p.212.

13 Cf. Hettling; Jeismann, *Der Weltkrieg als Epos* (see note 4), p.218.

14 Cf. *ibid.* p.206.

15 Cf. Ulrich, *Feldpostbriefe* (see note 1), p.42.

fulfilled. Bernd Hüppauf refers to another difficulty which concerns such wartime letters:

Letters alternate between the need to relate one's own reality and avoiding speaking about painful experiences in order to protect the feelings of both the writer and the recipient. These gaps can be filled in later, but not from the text itself; rather they require knowledge about the situation in which the letter was written and about the people involved, the writer and recipients. These additions to the mesh of meanings can be made evident but cannot be proven.¹⁶

This article presents and discusses letters published in the Jewish-Austrian weekly *Dr. Bloch's Oesterreichischer Wochenschrift*.¹⁷ Most of the published

letters served as a way of communicating between the individual members of a family or relaying information from military superiors sent to the parents of soldiers who lost their lives in battle. Especially in these letters, recurrent structures appear that give rise to the following questions:

1. What are the family-related themes dealt with in such published letters?
2. What picture emerges of those families and what are the relationships between the individual family members?

Due to the heterogeneity of the Jewish population¹⁸ living under the Habsburg monarchy, it is certainly not possible to identify a set image of the "Jewish family"¹⁹ in the letters examined, but merely themes concerning the sociological category of family and

Zentralorgan für die gesamten Interessen des Judentums, edited by Joseph Samuel Bloch appeared between 1884 and 1921. Issues for this article were consulted at the site *Compact Memory: Internetarchiv jüdischer Periodika*, Universitätsbibliothek Frankfurt am Main, [http://sammlungen.ub.uni-frankfurt.de/cm/nav/index/title/Dr. Bloch's Oesterreichische Wochenschrift](http://sammlungen.ub.uni-frankfurt.de/cm/nav/index/title/Dr.Bloch's_Oesterreichische_Wochenschrift) is hereafter abbreviated as ÖW.

16 "Briefe schwanken zwischen dem Bedürfnis, von der eigenen Wirklichkeit zu erzählen oder zu vermeiden, von schmerzhaften Erlebnissen zu sprechen, um die Gefühle des Schreibers und des Empfängers zu schonen. Diese Lücken lassen sich nachträglich ergänzen, aber nicht aus dem Text selbst, sondern sie erfordern die Kenntnisse der Lage, in der der Brief geschrieben wurde, und der beteiligten Personen, Schreiber und Empfänger. Diese Ergänzungen zu einem Geflecht der Bedeutungen lassen sich evident machen, aber nicht beweisen." Bernd Hüppauf, *Was ist Krieg? Zur Grundlegung einer Kulturgeschichte des Kriegs* (Bielefeld: transcript, 2013), p.74.

17 My unpublished master's thesis "'7 Söhne im Felde' – Familienrepräsentationen in *Dr. Bloch's Oesterreichischer Wochenschrift* im Zeichen des Ersten Weltkrieges" deals with this corpus in depth, and was chosen as a basis for the present article. The weekly periodical *Dr. Bloch's Oesterreichische Wochenschrift*.

18 Albert Lichtblau notes: "It is completely misleading to describe Jews as a homogenous section of the population, in fact a significant quality is their heterogeneity." Albert Lichtblau (Ed.), *Als hätten wir dazugehört. Österreichisch-jüdische Lebensgeschichten aus der Habsburgermonarchie* (Vienna, Cologne, Weimar: Böhlau, 1999), p.22.

19 My master's thesis includes further considerations concerning the Jewish family which go beyond the scope of this article.

relations of individual family members to others, as well as the influence of the war on this construct. This article examines how the consequences of the war are negotiated in letters in terms of the concept of the family and within family structures, and how discursive practices in turn impact the image of the family. Letters are certainly traces with blank spaces: many things are not mentioned at all (“discursive margins”) and some issues are not published because of publication guidelines (or for propagandistic reasons). Since the article aims to show the kinds of language and discourse in the published letters investigated, many original quotations will be included.

This article is structured as follows: the first section shows predications in letters about fallen Jewish soldiers; the second section presents letters concerning the struggle against anti-Semitism and desperation about the consequences of the war for the men at the front. The third section looks at Jewish holidays and the yearning for family community and peace, while the fourth section provides concluding considerations.

LETTERS IN DR. BLOCH'S OESTERREICHISCHE WOCHENSCHRIFT

In the year 1884, the Jewish Orthodox rabbi Joseph Samuel Bloch founded the Jewish-Austrian periodical *Dr. Bloch's Oesterreichische Wochenschrift* – *Zentralorgan für die gesamten Interessen des Judentums*, which was distributed

weekly in Vienna and was published until 1921. The editor Bloch was against Jewish assimilation and looked critically at Zionist ideas, but he allowed a wide spectrum of topics in the articles published. The majority of letters published in *Dr. Bloch's Oesterreichische Wochenschrift* dealt with announcements of fallen, missing or captured soldiers. Nameless before, these men gained a publicly through the narration of their experiences and emotions, which will be considered more closely in the following section.

FALLEN SONS

During the first stages of war, many families only found out about a soldier's death because their letters were returned.²⁰ Later, at least a note was added on the returned envelope: “† for the fatherland” or “† on the field of honour”.²¹ It was the unpleasant duty of military superiors or field rabbis to inform family members about the death of their sons. This chapter presents recurring structures and is exemplified by the following text:

Euer Wohlgeboren [old-fashioned form of address, literally translated as “well-born”]: Yesterday, I received your letter which makes apparent your grief and sorrows about your youngest son. War has spread the deepest pain to countless families;

20 Cf. Ulrich, *Feldpostbriefe* (see note 1), p.43.

21 At least this was valid for Germany. No information about Austria-Hungary was found in secondary literature sources. Cf. Ulrich, *Feldpostbriefe* (see note 1), p.45.

so that you have probably taken this possibility into consideration, as you haven't heard from your son in some time. It is difficult for me to have to dash any hope that may have still existed. Unfortunately, that which you thought impossible has come to pass. He died of his injuries in field hospital no. 1004. Known as a real and true hero despite his youth, we all, officers and enlisted alike, bemoan the loss of this good boy who touched the hearts of all. Always of good cheer, always in good humour, he attracted my attention in a number of difficult situations, moreover he performed as well as any human possibly could during the 10th Isonzo-battle as his company, after warding off six offences from the Italian side, made superhuman efforts in the midst of battle. At that time your boy showed his heroism, ever helping others and actively lending a hand. Everyone knew his name. He was decorated with the great silver medal for bravery which he received personally from his Majesty, to whom he was introduced. At the same time, he was promoted to platoon leader. Unfortunately, a few days later he was sent to hospital with an injury where he subsequently died. With the death of your son, I assure you that the battalion mourns the loss of one of the bravest sergeants. He shall forever remain in the history of our regiment. I hope that it serves as a consolation for this hard blow of fate to remember that many, many

other mothers and fathers also have to go through this pain. He fell on the field of honour. You may be proud of your youngest son. Taking this opportunity to express my condolences as well as those of all my officers, I am pleased to remain at your disposal. Respectfully, Böhm, Major, captain of [cens.] infantry battalion.²²

- 22 "Euer Wohlgeboren! Ihr Schreiben, welches mir Ihren Kummer und die Sorgen verrät, welche Sie um Ihren jüngsten Sohn ausstehen, gestern erhalten. Der Krieg hat schon in ungezählten Familien tiefsten Schmerz verbreitet, daß gewiß auch Sie, nachdem Sie so lange von Ihrem Sohne keine Nachricht erhalten haben, sich mit dieser Möglichkeit vertraut gemacht haben. Es fällt mir daher sehr schwer, die vielleicht noch vorhandene Hoffnung zunichte machen zu müssen. Es ist leider so, wie Sie es nicht für möglich gehalten haben. Er ist an den Folgen seiner Verwundung im Feldspital Nr. 1004 gestorben. Als echter und wahrer Held trotz seiner Jugend bekannt, betrauern wir alle, Offiziere und Mannschaft, den Verlust dieses braven Jungen, dem alle ihr Herz schenken. Immer frohen Mutes, immer guter Laune, ist er mir in manch schwieriger Situation aufgefallen; doch das Menschenmöglichste leistete er während der 10. Isonzoschlacht, während welcher seine Kompagnie nach Abwehr sechsmaliger Angriffe der Italiener inmitten des Kampfes übermenschliches [sic!] leistete. Damals zeigte sich Ihr Junge als ein überall mithelfender, tatkräftig einspringender Held und war die ganze Mannschaft nicht nur seiner Kompagnie, sondern auch der Nachbarkompagnie eines Lobes und voller Achtung [sic!] für den jungen Zugführer. Von allen hörte man nur seinen Namen nennen. Für sein tapferes und beispielgebendes, heldenmütiges Verhalten wurde er mit der großen silbernen Tapferkeitsmedaille ausgezeichnet, welche Dekoration er von Seiner Majestät dem Kaiser, welchem er vorgestellt wurde, erhielt. Zugleich wurde er auch zum Zugführer befördert. Einige Tage später wurde er leider verwundet in

Fallen sons are always characterised as heroes, and many letters further illustrate this with descriptions of acts of war or decorations of soldiers: in this specific case, the deceased was even awarded the great silver medal for bravery by the Emperor himself. The letter emphasises, both at the beginning and at the end, that this “deepest pain” touches many families and that there might be consolation in the recognition “that many, many other mothers and fathers also have to go through this pain.” Thereby it is suggested that every individual has to serve a higher cause – the victory of the fatherland – during times of war, wherein individual needs, including individual mourning, have to be given up and be transformed into a collective emotion. The pattern demonstrated in this letter is often found in a similar order: a soldier’s death is primarily embedded in a story about combat and his deeds for the regiment; secondly, the expression of condolences and the assurance that the deceased died the finest death “as a soldier, as a victor in a hostile position, in front

das Spital abgeführt, wo er dann starb. Ich versichere Sie, daß das Bataillon durch den Tod Ihres Sohnes den Abgang eines seiner tüchtigsten Unteroffiziere betrauert und er für ewige Zeiten in der Geschichte des Regiments genannt sein wird. Nehmen Sie dies als Trost für Ihren schweren Schicksalsschlag, eingedenk, daß auch vielen, vielen anderen Müttern und Vätern dasselbe beschieden war. Er fiel am Felde der Ehre. Sie können stolz auf Ihren jüngsten Sohn sein. Bei dieser Gelegenheit mein und aller meiner Offiziere innigstes Beileid übermittelnd, stehe ich gern zur weiteren Verfügung. Achtungsvoll, Böhm, Major, Kmdt. des [zensiert] Infanteriebataillons.“ ÖW 34 (1917), no. 37, p.607f.

of his comrades”.²³ In characterising the fallen soldiers, stereotypical phrases occur: the young men have been “good”²⁴ and “brave”²⁵ and shall therefore remain “unforgotten”;²⁶ the individual showed “despite his youth with exemplary reliability”²⁷ when dealing with all the strains caused by the war. Gerald Lamprecht emphasises that using typical military expressions, in this case the description of honourable military behaviour and brave actions, enables the individual to move away from one’s own personal emotional distress without excessively alienating the communication partner.²⁸ Through the publishing of these writings, the press cements common concepts of the enemy and of heroes.²⁹ Heroes are always good and brave, and generally dead. The following letter is a typical template for characterising fallen soldiers:

I certainly do not need to mention that the heroic death of your good, honest and unforgettable son has left an everlasting impression on the hearts of all of his fellow soldiers as he was a glowing example of patriotism and steadfast loyalty

23 ÖW 34 (1917), no. 38, p.625.

24 ÖW 34 (1917), no. 34, p.556; ÖW 34 (1917), no. 38, p.625; ÖW 34 (1917), no. 37, p.607f.

25 Cf. for example ÖW 34 (1917), no. 38, p.625; ÖW 34 (1917), no. 37, p.607; ÖW 31 (1914), no. 38, p.655 or ÖW 31 (1914), no. 50, p.876.

26 Cf. for example ÖW 34 (1917), no. 34, p.556.

27 ÖW 34 (1917), no. 38, p.625.

28 Cf. Gerald Lamprecht, *Feldpost und Kriegserlebnis. Briefe als historisch-biographische Quelle* (Innsbruck [et al.]: Studienverlag, 2001), p.58.

29 Cf. Buschmann, *Der verschwiegene Krieg* (see note 5), p.213.

to the Emperor. Josef Legat. First lieutenant.³⁰

Similar ascriptions are found in a letter from a major to a widow:

Your spouse lived, as long as he lived, only for his family. But when the welfare of our fatherland demanded it, he knew how to fight and to how die heroically, inspiring lasting pride that he was fighting in our midst. Madam shall hopefully find some comfort in the knowledge that your spouse accurately attended to his duty until his last hour and died the glorious soldier's death as a good citizen defending his fatherland.³¹

The fatherland is mentioned twice in this short paragraph granting belated significance to this "glorious soldier's death": the individual fate of the bereaved widow (and consequently

30 "Ich brauche gewiß nicht zu erwähnen, daß der Heldentod Ihres braven, ehrlichen, unvergeßlichen Sohnes ein ewiges Andenken in den Herzen aller seiner Mitmenschen zurücklassen wird, war er doch ein leuchtendes Beispiel von Vaterlandsliebe und unerschütterlicher Monarchentreue. Josef Legat, Oblt." ÖW 34 (1917), no. 34, p.556.

31 "Ihr Gatte hat, so lange er lebte, nur für seine Familie gelebt. Als es aber das Wohl unseres Vaterlandes erforderte, wußte er heldenhaft zu kämpfen und zu sterben, so daß wir alle immer stolz darauf sein werden, daß er in unseren Reihen kämpfte. Gnädige Frau wollen einigen Trost in dem Bewußtsein finden, daß Ihr Gatte seiner Pflicht bis zu letzten Stunde pünktlich nachgekommen und als ein braver, sein Vaterland verteidigender Bürger den ruhmreichen Soldatentod gestorben ist." ÖW 31 (1914), no. 42, p.720.

of all readers of the periodical) is dissolved when confronted with the higher aim of defending the homeland. Family is subordinated to the "welfare of our fatherland". Official letters are a means of giving meaning to all acts of war and all sacrifices.

Before a set phrase of farewell and renewed condolences, the soldier's burial and the regret about the (potentially temporary) impossibility to bury him in a cemetery back home are also frequently mentioned in letters:³²

The bullet struck his heart, and within a few seconds he ended his young life. Unfortunately, it is not possible to ease the pain even by burying his corpse in native soil, and this is why I beg of you, Madam, to give up this thought. If there is any comfort, may Madam find it in following: your husband's heroic end – a fate that many thousands share today – will be immortalised in the history of our regiment as an excellent example of heroic virtue. You should know that the last beat of his heart, which was struck by a bullet for the fatherland, was dedicated to the fatherland and at to you, Madam, as all of us, his fellow officers, know well.³³

32 One of the rare reports of bringing home a soldier's corpse sounds as follows: "The distinguished family members of the fallen hero did not avoid risks nor costs and drove as far as the front to take the earthly remains of their son and to bury him in a furrow of home ("in heimatlicher Scholle")." ÖW 35 (1918), no. 32, p.510.

33 "Die Kugel traf ihn ins Herz, und in wenigen Sekunden hatte er sein junges Leben beendet. Leider ist es unmöglich, durch

Strict rules exist for Jewish burials: under normal circumstances the deceased have to be buried within 24 hours,³⁴ there is a death watch³⁵ and gravestones are erected as signs of reverence for the dead.³⁶ Since there is no guarantee for this in wartime, it is a relief to the bereaved that at least a part of the Jewish rituals was observed: “Deeply touched I said a final Kaddish for the salvation of your eternalised son.”³⁷ Herein a reversal of circumstances due to war becomes apparent: Normally, children pray *Kaddish* for their deceased parents and not the reverse. The next letter to parents reports in “soldierly beautiful, warm words of the heroic death of a boy”³⁸:

Cadet Pick fell as a hero on 30th of August at about 6 o'clock in the

die Bestattung seines Leichnams in heimatlicher Erde das Leid wenigstens zum Teil zu lindern, und deshalb bitte ich Sie, gnädige Frau, diesem Gedanken zu entsagen. Wenn es einen Trost gibt, mögen gnädige Frau ihn darin finden, daß das heldenmütige Ende Ihres geliebten Gatten, welches Schicksal heute so viele Tausende teilen, in der Geschichte unseres Regimentes als ein hervorragendes Beispiel der Heldentugenden der ruhmreiche Name des Verblichenen verewigt sein wird, sowie das Bewußtsein, daß der letzte Schlag des Herzens, welches die Kugel für das Vaterlandes traf, wie wir, seine Offizierskollegen, es wissen, dem Vaterlande und Ihnen gnädige Frau gegolten hat.” ÖW 31 (1914), no. 43, p.743.

34 Cf. Alfred Kolatch, *Jüdische Welt verstehen. Sechshundert Fragen und Antworten* (Wiesbaden, Marix Verlag, 2005), p.76.

35 Cf. *ibid.* p.69.

36 Cf. *ibid.* p.96.

37 “Tiefgerührt, sprach ich zuletzt das Kadischgebet für das Seelenheil Ihres verewigten Sohnes.” ÖW 34 (1917), no. 29, p.475.

38 ÖW 31 (1914), no. 38, p.655f.

afternoon. [...] Cadet Pick received a shot through his heart in addition to two other injuries, likely caused by a shrapnel. We have laid him to rest. His hero's grave is marked forever. If there is something to comfort you, it may be the assurance that your son met a quick, much envied soldier's death and that his comrades who loved this moderate young man most heartily will honour his memory throughout all their lives. Be assured of my most heartfelt sympathy! [...]”³⁹

Often the circumstances of death are mentioned to emphasise that the person concerned “met a quick, enviable soldier's death” and that he and his heroic deeds are to be commemorated. In another letter, similar words are found: “his remembrance as a shining example of the officer's corps will live on in us.”⁴⁰ This signifies a valorisation of the fallen soldiers, and many letters even request parents to be proud of their bravely fighting sons. Through publishing letters, fallen soldiers are

39 “Fähnrich Pick ist am 30. August, gegen 6 Uhr nachmittags, als Held gefallen. [...] Fähnrich Pick erhielt einen Schuß durchs Herz und hat überdies zwei weitere Verletzungen, anscheinend von Schrapnellstücken herrührend. Wir haben ihn zur letzten Ruhe geführt. Das Heldengrab bleibt dauernd bezeichnet. Wenn etwas Sie trösten kann, so sei es die Versicherung, daß Ihr Sohn einen raschen, vielbeneideten Soldatentod gefunden hat und daß seine Kameraden, die den bescheidenen jungen Mann herzlichst liebten, ihm zeitlebens das ehrende Andenken bewahren werden. Die Versicherung innigsten Mitgefühls! [...]” ÖW 31 (1914), no. 38, p.655f.

40 ÖW 31 (1914), no. 43, p.744.

rescued from oblivion. The bereaved should find consolation in knowing that many families have lost their sons due to the war and that everybody serves a higher aim: defending the fatherland. Publishing private documents strengthens the affiliation with a community which is extremely important for the identity of the bereaved. Excerpts from an exchange of letters between a captain and a mother should illustrate this:

Death of Honved⁴¹ Breuer.

[...] Widow Breuer from Budapest sent her only son, her bread-earning Samuel Breuer to war. [...] On the 20th of November she received the following lines from Captain Flora: 'I hereby officially inform you that your dear son Samuel Breuer, Honved, [...] died the hero's death while carrying out his duties bravely and conscientiously at the northern theatre of war. [...] His name will be recorded in golden letters in the history of our company.'⁴²

41 The Royal Hungarian Defence Force (Hungarian: "Magyar Királyi Honvédség", commonly "Honvéd") was one of four Austro-Hungarian armed forces. Cf. Michael Berger, *Eisernes Kreuz – Doppeladler – Davidstern. Juden in deutschen und österreichisch-ungarischen Armeen. Der Militärdienst jüdischer Soldaten durch zwei Jahrhunderte* (Berlin: trafo Wissenschaftsverlag, 2010), p.111.

42 "Der Tod des Honveds Breuer. [...] Die Witwe Breuer in Budapest hat ihren einzigen Sohn, ihren Ernährer Samuel Breuer[...] in den Krieg geschickt. [...] Am 20. Novemb

A widow named Breuer could not believe her son was really dead and she was surprised by the captain's beautiful note, so their correspondence continued. She received a letter confirming that not everyone is informed about their son's deaths in this personal way, but that Honved Breuer was an "excellent soldier" which is why the captain himself wrote of his death. Solemnly, this text speaks as well of a "mother's pain" and of the "eternal hope of a loving mother's heart". Pointing out explicitly that a captain has neither the time nor opportunity to inform every mother about the death of her son in this way, but that Honved Breuer had been "such a valiant, duteous, excellent soldier"⁴³ who deserved special treatment, sets the deceased apart from the others. His mother should be comforted in the knowledge that her son "fought like a hero and died like a hero".⁴⁴ An individual mother's love is exploited by the media and grows to become a public love of heroes. Another phenomenon is fatherly love for sons being used to combat anti-Semitism; this will be explained in the next chapter.

FIGHTING AGAINST ANTI-SEMITISM

In many articles, the "two-fold duty" of Jews is alluded to: they have to make sacrifices in war both as Jews and as Austrians. The Jewish population hoped to be finally accepted as full citizens and to weaken anti-Semitic prejudices by actively engaging in the war. Especially

43 Ibid.

44 Ibid.

at the end of the war, when anti-Semitism again flared up strongly, letters were published emphasising the Jewish soldiers' commitment to the World War, so that "the notification of the heroic death of my two sons contributes to show the enormous participation of Hungarian Jews to this big existential battle and the defence of the fatherland [...]." ⁴⁵ A father called Samuel Lorbeer emphasises in his letter, "that my sons were raised in caftans, in line with traditional custom. However, they have sacrificed their lives for the fatherland and king ⁴⁶ in the theatre of war on the front line." ⁴⁷

Jakob Rothstein tells the story of his sons in a letter:

I've had three sons as soldiers in this war: Albert Miklos [...] has been missing since the 4th of September 1914, and since then I haven't received any news. Emmerich Miklos [...] died a heroic death on the 14th of September 1914 at Dunajec. Desider Miklos, [...] recipient of the Golden Medal for Bravery died a heroic death on the 7th of December 1915. These sons have kept me alive as I am 68 years old; however I have not requested any support. Anti-semitic agitators who are only heroes at home should take note of that. Zilah,

45 ÖW 34 (1917), no. 23, p.378.

46 This letter was first published in the Hungarian periodical *Egyenlöseg*. Nearly all of the letters in this chapter seem to have been released in Hungary first – I suppose as anti-Semitism was stronger in Hungary.

47 ÖW 34 (1917), no. 34, p.555.

20 December 1917. Respectfully Jakob Rothstein. ⁴⁸

Jakob Rothstein lost his sons who had paid for his upkeep, but he emphasises that he never asked for any aid. So he counters the argument of anti-Semites who depicted Jews as sponges and quitters. By mentioning full names of the sons, a face is given to an anonymous accounting of soldiers.

In "Outcry of a Jewish father" ⁴⁹ Hermann Blaustein calls his sons "our dearest treasure, our jealously guarded children" ⁵⁰ who were sacrificed to defend our beloved fatherland".

Afterwards he tells his sons' story:

My son Josef Balazs, first lieutenant, carried out his frontline duty from the first minute of mobilisation. [...] He was wounded in the years 1915, 1916 and 1917 (in July), thus three times in total. He is completely healed and back at his regiment,

48 "Ich hatte drei Söhne als Soldaten in diesem Kriege: Albert Miklos [...] wird seit dem 4. September 1914 [...] vermisst und seit dieser Zeit ist keine Nachricht von ihm eingetroffen. Emmerich Miklos [...] hat am 14. September 1914 am Dunajec den Heldentod gefunden. Desider Miklos, [...] Besitzer der goldenen Tapferkeitsmedaille, hat am 7. Dezember 1915 [...] den Heldentod gefunden. Diese Söhne haben mich erhalten, denn ich gehe ins 68. Lebensjahr und habe dennoch keine Unterstützung verlangt. Das mögen die antisemitischen Hetzer zur Kenntnis nehmen; jene, die nur zu Hause Helden sein können. Zilah, 20. Dezember 1917. Achtungsvoll Jakob Rothstein" ÖW 35 (1918), no. 3, p.40.

49 "Entrüstungsschrei eines jüdischen Vaters"

50 ÖW 35 (1918), no. 7, p.102f.

and waits there until his duty calls on him to be somewhere else. When I was able to visit him once, his commanding officer called him the pride of his regiment, the youngest and most conscientious officer. It goes without saying that I am very proud of this.

My elder son, Andor Balazs, a candidate for the legal profession, is broken and aged. How much grief did his photograph, sent from captivity, bring to his old parents! What happened to that handsome, great boy? A shadow, a ruin of himself. What did that one year of Serbian and then Italian captivity make of my beloved child? He writes that life will not be able to compensate him for all the suffering he has endured. He started his service just before his solicitor's exam, and now he has been languishing in captivity since the 12th of December, 1914.

Finally, there is my youngest son Ludwig, a medical doctor in his first year of training, who has recently qualified, is likewise a soldier.

It is impossible to express one's astonishment about what these thoughtless, vile people actually want from us.

They should go there, just for one night, where my decorated and heroic son is, and then they should continue promoting their anti-Semitic agitation, if they still have the conscience to do so.

Yours sincerely, Hermann Blaustein,
Szinyer (Kom. Zemplen) ⁵¹

In this letter, "pride" is a dominant parental emotion which is also found in many other letters about fallen soldiers. The reference to the soldier's youth and

51 "Mein Sohn Josef Balazs, Oberleutnant, macht von der ersten Minute der Mobilisierung an Frontdienst. [...] Er wurde im Jahre 1915, 1916 und 1917 (im Juli), also dreimal verwundet. Er ist jetzt völlig geheilt bei seinem Regiment und wartet dort, bis ihn seine Pflicht anderswohin ruft. Als ich ihn einmal besuchen durfte, nannte einer seiner vorgesetzten Offiziere ihn den Stolz seines Regiments, den jüngsten und gewissenhaftesten Offizier. Es braucht nicht erst gesagt zu werden, daß ich nicht wenig stolz bin darauf.

Mein älterer Sohn, Andor Balazs, Advokaturskandidat, ist gebrochen, gealtert. Wieviel Kummer hat uns alten Eltern seine aus der Gefangenschaft übersendete Photographie bereitet! Was ist aus diesem stattlichen, herrlichen Jungen geworden! Der Schatten, die Ruine seiner selbst. Was haben das eine Jahr serbische und dann italienische Gefangenschaft aus meinem teuren Kinde gemacht? Er schreibt, daß ihn das Leben für die durchgemachten Leiden nicht mehr zu entschädigen vermag. Er ist kurz vor der Advokatenprüfung eingerückt und schmachtet seit dem 12. Dezember 1914 in Gefangenschaft.

Schließlich ist mein jüngster Sohn Ludwig, Mediziner des ersten Jahrganges, der kürzlich gemustert wurde, gleichfalls Soldat.

Es ist unmöglich, seine Verwunderung darüber auszudrücken, was eigentlich diese hohlköpfigen, niederträchtigen Menschen von uns wollen.

Möchten sie doch, wenigstens auf eine Nacht, dorthin gehen, wo mein mehrfach ausgezeichneter, heldenmütiger Sohn ist, dann mögen sie antisemitische Hetze treiben, wenn sie das Gewissen dazu haben. [...]

Hochachtungsvoll

Hermann Blaustein, Szinyer (Kom. Zemplen)"; Ibid.

diligence is a topos found in a variety of letters. Parental helplessness in the face of their children's broken futures due to the war is demonstrated in a desperate question posed by the father "What did that one year of Serbian and then Italian captivity make of my beloved child?" These children seem to be lost as the next generation because life will not be able to compensate them for the suffering they endured. Parents wish for a happy future for their children, so war is not only a constant menace to physical health but also to mental stability, which are important foundations to children starting their own families. Hermann Blaustein and others tell of their mobilised and captured sons to counter "anti-Semitic agitation" and to demonstrate the Jewish population's participation in the war. In addition to these aspects, parents show their love and caring for their sons who are ripped from their families and often denied their futures.

JEWISH HOLIDAYS

Often soldiers could not return home for months so the army postal service had an important function "for the moral support of soldiers and their distant wives and relatives."⁵² Especially around the time of Jewish holidays, letters speak of a yearning for the family and collective rituals. While living in the trenches or performing exhausting military tasks, soldiers think about gatherings of their family members and about the gap caused by their absence.

52 Cf. Ulrich, *Feldpostbriefe* (see note 1), p.48.

So many letters describe previous celebrations and the wish to spend the next back home. Klaus Latzel calls these verbalisations in letters "projections of all personal wishes and desires onto a life together in an imagined post-war period."⁵³ This "written conversation"⁵⁴ is very important to individual soldiers as it reinforces their realities and civil identities in pre-wartime; this is frequently shown in reflections in letters about shared experiences and their longing for a common future.⁵⁵ Family celebrations and rituals of remembrance in the form of recurrent holidays for soldiers also signify a constant in their desired civilian role. One cannot write that he longs for the war to end, but he is allowed to hope that he will spend the next holidays among his family circle. It often becomes apparent that there is a dichotomy between the intimacy of family and home and the hostile front which challenges soldiers both mentally and physically. Bernd Hüppauf writes of a fundamental difference between experienced time and the structure of time in war: "At the front, soldiers undergo everything for the first time, and everything was imagined completely differently."⁵⁶ This leads to a tense "consciousness of unknown sensory stimuli",⁵⁷ overstraining soldiers in their

53 Latzel, *Die Zumutungen des Krieges und der Liebe* (see note 9), p.215.

54 Lamprecht, *Feldpost und Kriegserlebnis* (see note 27), p.39.

55 Cf. *ibid.*

56 Hüppauf, *Was ist Krieg?* (see note 15), p.292.

57 *Ibid.*

making sense of war. The following lyric letter describes threats to the writer:

Dearest parents!

Yesterday was Kol-Nidre. – Our thoughts were joined because of how beautiful it had always been as we all were together on this evening, but this time – We sat in a barn, high up in the Carpathians. Horrible weather, and tremendous cold, a blustering north wind threatening to lift the roof, [...]. A short prayer, and our greatest benefactor comes to make us forget everything, that is sleep, and while short and very cold, it comes as a relief.

I often dream of home, of peaceful life, but even more often of scenes of war which come back in dreams, which we will never forget in our lifetimes because whoever survives this has looked in His face, has heard His words murmuring in his own ear. These are infernal sounds in terrible harmony which are gathered into chords in the air, a quiet whistle of rifle bullets, the penetrating sound of shrapnel, in addition to the massive air-pressure of the heavy ekrasit grenades, a rapid scale of machine guns, and the concert is complete.⁵⁸

58 “Teuerste Eltern!
Gestern war Kol-Nidre. – Unsere Gedanken trafen sich, denn wie schön war es immer, als wir an diesem Abend alle beisammen waren, doch diesmal – Wir saßen in einer Scheune, hoch in den Karpathen. Ein schauerliches Wetter, eine enorme Kälte, ein Nordwind braust, der das Dach zu heben droht,

Descriptions of frightening sounds and extreme weather conditions show the extent to which war confronts people with uncertain situations.⁵⁹ The writer emphasises a dichotomy between the cold, dangerous world outside “high up in the Carpathians” and a peaceful home which in fact no longer exists due to the consequences of war. This letter is remarkable in its eloquence and strength:

I remain steadfast and fight for you all, and if God shall grant us victory we shall move towards happy times. And we have to win because our cause is sacred and God sends doom to our enemies. - - I know you have prayed for me, I have done the same for you and this gives me new strength for this hard life I have sworn to bear. I am up to it. [...] Do not worry about me, I want to live.
Your faithful son Bruno.⁶⁰

[...]. Ein kurzes Gebet, und unser größter Wohltäter kommt, der alles vergessen macht, das ist der Schlaf, und zwar kurz und sehr kalt, aber erlösend.

Oft träume ich vom Hause, vom friedlichen Leben, noch öfter von Kriegsszenen, die im Traume wiederkommen, die im Leben wir nie vergessen werden, denn wer die überlebte, der hat ihm ins Antlitz gesehen, der hat seine Worte ins eigene Ohr raunen gehört. Es sind Höllentöne in furchtbarer Harmonie, die in der Luft sich zu Akkorden sammeln; ein leises Pfeifen der Kleingewehr-Geschosse, der durchdringende Ton der Schrapnels, dazu der riesige Luftdruck der schweren Ekrasitgranate, die rasche Tonleiter der Maschinengewehre, und fertig das Konzert.” ÖW 31 (1914), no. 42, p.721f.

59 Cf. Lamprecht, Feldpost und Kriegserlebnis (see note 27), p.37f.

60 “Ich halte stand und kämpfe für Euch alle und gibt uns Gott den Sieg, dann gehen

The writer consolidates his Jewish identity and affiliation with his family and community by praying and remembering holidays. Knowing that his family also prays for him gives him “new strength for this hard life I have sworn to bear.” Another writer tells of a “deep yearning for the family’s Seder table” and hopes for “golden, holy peace everywhere.”⁶¹ The following letter from Russian captivity (dated 1st of April 1918) did not arrive in the hands of the writer’s parents until November 1918. It speaks of hopes for peace and a gathering of family:

The two evenings of Seder I spent in Samare with a very nice Jewish family, and I was deeply moved by the old Hebrew songs and ceremonies just as I used to hear and see them in my parents’ house, and they were soothing to my depressed mind. I spent last Purim in Petrograd, also with an amiable Jewish family, and I hold a thankful memory of my hosts. May the dear God bring me back to you soon; then I shall tell you even more.⁶²

glücklichen Zeiten wir entgegen. Und siegen müssen wir, denn heilig ist unsere Sache, und Verderben sendet Gott unseren Feinden. – – Ich weißt, Ihr habt für mich gebetet, ich tat’s für Euch und das gibt neue Kraft fürs schwere Leben, das zu führen ich geschworen. Ich bin es fähig. [...] Habt keine Sorge um mich, ich will leben.
Euer treuer Sohn Bruno.” ÖW 31 (1914), no. 42, p.722.

61 ÖW 34 (1917), no. 26, p.429.

62 “Die zwei Sederabende verbrachte ich in Samare in einer sehr lieben jüdischen Familie und ergriffen [sic!] auch die alten hebräischen Gesänge und Zeremonien,

As this postcard reached the family half a year later, the parents must have been very worried about not receiving any sign of life. The prisoner of war reports about festivities in cities which means that he was accommodated, at least for the holidays, in private homes. Often, places are named, giving family members the approximate location of those absent. Remembering family rituals, faith in God and “the old Hebrew songs and ceremonies” lend strength and hope to this writer. Similar words are found in the following letter:

Only three Jewish families live in our town. One of them provided a large room where our Jewish soldiers, Russian prisoners of war and civilians devoutly prayed at Rosh-Hashana. [...] On both afternoons, I prayed from the book of psalms that you, dear parents, sent to me and I refreshed myself with the holy songs of great king David. When will I again give voice to these religious songs back home? [...] With the prayer ‘Lead me, all-bountiful God, with my comrades back to my beloved home and my dear parents’ house after a soon-to-come early peace’, I fell asleep.⁶³

wie ich sie im Elternhause gehört und gelesen, und taten meinem gedrückten Gemüte so wohl. In Petrograd verbrachte ich den Purim zuvor auch in besonders lebenswürdiger, jüdischer Familie und bewahre meinen Gastgebern eine dankbare Erinnerung. Der gute Gott führe mich nur bald zu Euch, dann will ich Euch noch vieles erzählen.” ÖW 35 (1918), no. 45, p.735.

63 “In unserer Stadt wohnen nur drei jüdische Familien, von denen eine ein großes

Thanks to Hebrew, the collective language of praying, it is possible in this case for “our Jewish soldiers, Russian prisoners of war and civilians” to celebrate Rosh Hashanah together, which is important for the collective identity of Jews. Many of the letters on holiday occasions are structured according to the following triad:⁶⁴ a description of the initial situation, relating an undesired separation from it and dreaming of regaining the initial situation, in this letter expressed through the concluding prayer.

(Gender) roles are quite explicitly demonstrated in the following letter⁶⁵:

Dearest father! At present I am located in Jaroslau, which is in a small hamlet four hours away from Jaroslau. [...] I know you are a man and I can write you all this so that

you can have certainty. My faith lies now in God’s hands. Take care of dear mother and comfort and calm her. [...] I as a Jewish officer have twice the duty to prove to be brave and perseverant. I think of you both day and night and I shall not stop thinking of you. May God be with me and you all, and you, my dear father, may you be kissed by your son Poldi who will love you until his dying breath...⁶⁶

Son Poldi seems to be closer to his father, in contrast to his mother who needs to be protected. Experienced distance due to the war seems to create a new closeness which finds expression in affectionate letters. The next letter is an example of enthusiastic commitment to one’s fatherland:

Letter of a Jewish war volunteer.⁶⁷

Zimmer hergab, in welchem unsere jüdischen Soldaten, Kriegsgefangene aus Rußland und Zivilpersonen andächtig an Rosch-Haschono beteten. [...] An beiden Nachmittagen betete ich aus dem Psalmbuche, das Ihr mir liebe Eltern gesandt, und erquickte mich an den heiligen Gesängen des großen König Davids. Wann werde ich diese frommen Lieder wieder in der Heimat anstimmen können? [...] Mit dem Gebete: ‚Führe mich, Allgütiger, nach baldigem Frieden mit meinem Kameraden in die liebe Heimat und in mein teures Elternhaus!‘ entschlummerte ich.“ ÖW 34 (1917), no. 39, p.641.

64 Cf. Albrecht Koschorke, *Wahrheit und Erfindung. Grundzüge einer Allgemeinen Erzähltheorie* (Frankfurt: Fischer, 2012), p.213.

65 That letter was directly published in Tannenbaum’s collection, entitled “DIE DOPPELTE PFLICHT” (The Double Duty). Eugen Tannenbaum, *Kriegsbriefe deutscher und österreichischer Juden* (Berlin: Neuer Verlag, 1915), p.2f.

66 “Liebster Vater! Ich befinde mich derzeit in Jaroslau, das heißt in einem Nest 4 Stunden von Jaroslau entfernt. [...] Ich weiß, Du bist ein Mann, und ich kann Dir das ruhig schreiben, damit Du Gewißheit hast. Mein Geschick liegt jetzt in Gottes Hand. Schau auf die liebe Mutter und tröste und beruhige sie. [...] Ich habe als jüdischer Offizier die doppelte Pflicht, mich mutig und ausdauernd zu erweisen. Ich denke Tag und Nacht an Euch und werde nicht aufhören, an Dich zu denken. Gott möge mit mir und Euch allen sein, und Du, mein lieber Vater, sei geküßt von Deinem Dich bis zum letzten Atemzug liebenden Sohn Poldi...” ÖW 31 (1914) no. 35, p.596.

67 This letter was also published in the collection of Eugen Tannenbaum, though under a different title, which in my opinion may lead to a different reading: „Farewell. A cattle-dealer from a small town in Bavaria, father of seven children, who went to field on the 3rd of August, consigned following letter.”

Bamberg. The writer of the following letter, a father of six and soon seven children, went to the battlefield on the 5th of August. With a religious heart, full of enthusiasm for the war, he wrote to his relatives: ‘My dears! If these shall be my last lines then farewell, be God fearing and observe his Torah. I recommend my children to the Almighty, He shall bring to them our greatness in Israel, I want to take revenge for all the many murders and torment which were perpetrated against Jews by our enemies. Eighteen Jews volunteered here, thus I wanted to fulfil our Jewish duty and not be left behind. Cursed be those who do not give their last drop of blood for the fatherland. And if it may happen that we do not return alive, we shall find eternal life with Him who determines our welfare and woes. We say goodbye with tears in our eyes, but with love we leave our wives and children to carry out our duty. [...] and I conclude that we, by all available means, first have to protect our fatherland, then our family, then our faith.’⁶⁸

(Tannenbaum, *Kriegsbriefe* (see note 62), p. 1) Despite divergent date specification the word “war volunteer” in the letter which was published in *ÖW* implies an enthusiasm which is completely missing here and using the verb “consigning” suggests that the man died in the war.

68 “Feldpostbrief eines jüdischen Kriegsfreiwilligen.

Bamberg. Der Schreiber des nachfolgenden Briefes, Vater von sechs und demnächst sieben Kindern, ist am 5. August ins Feld gerückt. Aus frommen Herzen heraus, aus kriegsstarker Begeisterung schrieb er an seine

This announcement is a representative example of propaganda and makes clear a significant hierarchy of values: “we first have to protect our fatherland, then our family, then our faith.”⁶⁹

CONCLUDING CONSIDERATIONS

The letters presented in this article are no longer private narrations due to their publication in periodicals. Instead, they are a part of constitutive reality of the war where stereotypes are created, maintained and cemented through persevering patterns. Reality is consequently constructed by the reporting of periodicals, in turn affecting the prevailing circumstances. These letters are intended to create an

Verwandten: ,Meine Lieben! Wenn dieses hier meine letzten Zeilen sein sollen, so lebt wohl, fürchtet Gott und haltet seine Thora. Meine Kinder empfehle ich dem Allmächtigen, er möge sie zu unseren Großen in Israel heranziehen, ich will Rache nehmen für die vielen Morde und Martern, die an Juden von unseren Feinden begangen wurden. Es haben sich bei uns achtzehn Juden freiwillig ins Heer einstellen lassen, dabei will auch ich nicht zurückbleiben und unsere jüdische Pflicht erfüllen. Verflucht sei, wer in dieser Zeit nicht seinen letzten Tropfen Blut fürs Vaterland hergibt. Und sollte es dann sein, daß wir nicht mehr lebend zurückkommen, so finden wir doch ein ewiges Leben bei dem, der über unser Wohl und Wehe beschließt. Wir nehmen Abschied mit Tränen, aber mit Liebe ziehen wir von unseren Frauen und Kindern, um unsere Pflicht zu tun; [...] und ich kam auf den Schluß, daß wir unter allen Umständen zuerst unser Vaterland, dann unsere Familie, dann unseren Glauben schützen müssen.” *ÖW* 31 (1914), no. 35, p.597f.

69 Ibid.

awareness of collective tasks in the war and comfort other bereaved individuals. Furthermore, they bring order to incidences caused by the war and enable the writers to gain some composure and assign meaning to their actions.

There is no room to talk about emotional insecurities, rather there is an emphasis on collective fighting and sacrifice. Equally, there is no criticism of the war, and the letters instead focus on the participation in the war as a way to ensure a peaceful future. The letters are exploited and used as propaganda, consolidating established (gender) roles and images of heroes. Home is idealised as being secure – consequences of the war such as calamity, hunger and despair are negated. The family itself and remembered collective experiences give strength and hope to the soldiers. This also provides structure in their monotonous, military everyday routine. Family is an allegory for security, peace and mutual care. Besides the hope for a “golden holy peace everywhere”,⁷⁰ pride is the most frequently expressed emotion – on the one hand assurances about the “heroic deeds” of fallen soldiers evoke this emotion, on the other hand parents use this sentiment to counter anti-Semitic propaganda. Bernd Hüppauf refers to the public expression of emotions in war via media, which retroact to individual sentiments and gives certain emotions authority:⁷¹ Grief surrounding fallen sons is justified when it is related to the pride of his

heroic deeds. Bernd Hüppauf states that emotions are imposed by public discourse via the media,⁷² which can be seen in the published letters. Emotions are exploited to demonstrate and to anchor patriotism, Jewish affiliation and heroic behaviour. All are called upon to show their commitment to war and fatherland.

Clemens Picht refers to a complex of problems which was already mentioned in the context of Jewish family diversity and the inability to present an overall picture:

While these reactions to the outbreak of war are well documented, for example through war appeals by Jewish organisations or the numerous war letters of Jewish soldiers, albeit published with an apologetic aim, we are nevertheless dealing with a generalisation. In fact, there has never been a unanimous Jewish response to the war, and the differences became more pronounced the as the war went on.⁷³

72 Cf. *ibid.*

73 “So gut sich diese Reaktionen auf den Ausbruch des Krieges etwa durch die Kriegsaufrufe der jüdischen Organisationen oder die zahlreichen, häufig allerdings in apologetischer Absicht veröffentlichten Kriegsbriefe jüdischer Soldaten belegen läßt, so sehr handelt es sich doch gleichzeitig um eine Verallgemeinerung. Tatsächlich hat es eine einhellige jüdische Antwort auf den Krieg nicht gegeben, und die Differenzen verstärkten sich, je länger der Krieg andauerte.“ Clemens Picht, ‘Zwischen Vaterland und Volk. Das deutsche Judentum im Ersten Weltkrieg’ in *Der Erste Weltkrieg. Wirkung, Wahrnehmung,*

70 ÖW 34 (1917), no. 26, p.429.

71 Cf. Hüppauf, *Was ist Krieg?* (see note 15), p.227.

We are not only dealing with generalisation but also with exploitation as the letters presented are considered to be selected slivers of familial circumstances and relationships during World War I. They therefore depict – due to their exploitation by the press – a sugar-coated image of patriotism, of affection for parents and affiliation with the Jewish identity. Nevertheless, they are documents of a crisis-shaken time when it was necessary to redefine priorities, both in constructs of family and superordinate communities such as religion or state, and they do show a segment of Jewish life under the Habsburg monarchy during the time of World War I.

Analyse ed. by Wolfgang Michalka (Munich, Zurich: Piper 1994), p.737.

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THE EXILES OF THE HUNGARIAN NUMERUS CLAUSUS IN ITALY

ÁGNES KATALIN
KELEMEN

This article contributes to the research on the consequences of the Hungarian anti-Jewish numerus clausus law of 1920 by investigating the migration of Hungarian Jewish students to fascist Italy which followed it. The paradox of fascist Italy's receptivity towards the students haunted by the antisemitic politics of Italy's ally, Hungary, is discussed in addition to Italian fascisms' changing relationship to Jews. A wide range of primary sources is examined to discover the students' integration in Italy and their subsequent fate during the Shoah.

INTRODUCTION

The present article is a summary of my Masters' thesis "*Leaving an Antisemitic Regime for a Fascist Country: The Hungarian Numerus Clausus Refugees in Italy*" defended at Central European University in June 2014.¹ My thesis is dedicated to those Hungarian Jews who left their home country in the interwar period as intellectual refugees of an antisemitic regime and during their peregrination studied at the universities of fascist Italy.² They are the "numerus clausus refugees".

As the title of my thesis suggests, with my work I aimed to draw attention to a curious facet of interwar Italian-Hungarian relations: Jewish students

could escape Hungarian academic antisemitism in a fascist country. They left one right-wing authoritarian political establishment for another. Due to the horrors of the subsequent history of fascism, retrospectively it is hard to disassociate antisemitism and fascism. However, until 1938 fascist Italy was a hospitable environment for foreign (including Hungarian) Jews and their expulsion in 1938 was an unexpected calamity. For a decade and a half, it was a natural decision for Jews to settle in fascist Italy for the sake of university studies.

I analyzed the peregrination of the "exiles of the numerus clausus" in Italy as a result of the curious interplay of two opposite concepts of national educational politics introduced in two countries that during the period concerned were progressively strengthening both their political and their cultural ties. Both the Hungarian and the Italian higher educational systems were reshaped in the early 1920s. However, the same Jewish students played two opposite roles in the two systems: in Hungary they were regarded as outsiders, to be removed, whereas in Italy they (just like all foreign students) became instruments of

1 Ágnes Katalin Kelemen, *Leaving an Antisemitic Regime for a Fascist Country: The Hungarian Numerus Clausus Refugees in Italy* (Budapest: Central European University, Nationalism Studies Department, 2014). Thesis Supervisors: Professor Mária M. Kovács and Professor Victor Karády.

2 It is debated whether antisemitism should be written in the traditional form with a hyphen (anti-Semitism) or as one word. I use the second option consistently, since I agree with the argument that the hyphenised version suggests that "Semitism" exists. Therefore I prefer to use "antisemitism" to indicate anti-Jewish hostility.

internationalizing the universities, and thereby contributing to the realization of the educational reform of Minister Giovanni Gentile (1923).

Regarding the emigration of the *numerus clausus* exiles, Victor Karády provided an overview focusing especially on Hungarian Jewish presence in the student body in Prague, Brno and Vienna, based on his research in the university archives concerned.³ Michael Miller conducted research on the Hungarian Jewish student population of interwar Berlin.⁴ However, the peregrination of *numerus clausus* refugees to Italy has not yet been researched. To be more accurate, academic migration of Hungarians to interwar Italy was touched upon, since the friendly relationship between Hungary led by Horthy and fascist Italy is a beloved topic in historiography. However, the general praising tone of works on interwar Italian-Hungarian relations does not leave space for the recognition that such an alliance was based on shared right-wing

authoritarianism and to the recognition that numerous Hungarians ending up in Italy were escaping Hungarian antisemitism. My thesis, covering the years between the *numerus clausus* (1920) and the Hungarian Holocaust (until 1945), is dedicated to those young Hungarian Jews who were not supported by their home country at all, but exiled from its intelligentsia and were courageous enough to choose the challenges of a migratory life instead of resigning themselves to the decision of the Hungarian political elite to exclude them from the liberal professions. Their integration in the Italian academic sphere was a result of the fascist educational policy's drive for taking in foreign students and it occurred *despite* Hungarian educational politics and not *because of* cordial Hungarian-Italian relations.

What had been known earlier as well is that during the interwar period seven hundred and forty-four Hungarian students enrolled in Italian universities.⁵ A general prosopography of Hungarian students in interwar Italian higher education already existed in the dissertation of Beáta Szlavikovszki,⁶ even though it is not complete, as we know of a number of people who studied in Italy and are

3 Victor Karády, "Egyetemi antiszemizmus és értelmiségi kényszerpályák. Magyar-zsidó diákság a nyugat-európai főiskolákon a *numerus clausus* alatt [Academic Antisemitism and Intellectual Constraint Careers. Hungarian Jewish Students at Western-European Colleges in the Age of the *Numerus Clausus*]", in *Levéltári Szemle* 42.6 (1992), pp.21–40.

4 Michael L. Miller, "Numerus clausus exiles: Hungarian Jewish students in inter-war Berlin", in *The numerus clausus in Hungary: Studies on the First Anti-Jewish Law and Academic Anti-Semitism in Modern Central Europe*, eds. Victor Karády and Péter Tibor Nagy (Budapest: Pastis Inc. Centre for Historical Research, History Department of the Central European University, 2012), pp. 206–18.

5 Beáta Szlavikovszki, *Fejezetek a magyar-olasz kulturális kapcsolatokról 1880–1945 között [Chapters from the History of Hungarian-Italian Cultural Relations between 1880 and 1945]*, Doctoral dissertation (Piliscsaba: Péter Pázmány Catholic University, 2009), p. 134.

6 Szlavikovszki (see note 5).

missing from this prosopography.⁷ Apparently in some university archives it was not possible to find all the students of the period. Regarding the impact of Hungarian antisemitic legislation on the emigration to Italy Szlavikovszki limits herself to noting that among the students not receiving a stipend probably the “representation of Jewry was multiple when compared to the proportion of Jewry in Hungary’s denominational relations”.⁸ She refers to an earlier prosopographical study on Hungarian students’ influx to the universities of Bologna (1923-1942) and Padua (1920-1935) by Zsuzsanna Orosz, which also includes details on the students’ studies (date of enrollment, faculty, graduation).⁹

7 Simon Teich in the University of Turin (Simone Teich Alasia, *Un medico della Resistenza: I luoghi, gli incontri, le scelte* [A Doctor of the Resistance: The Places, The Encounters, The Choices] (Torino: Seb27, 2010); Aladár Hábermann in Rome (Anna Maria Hábermann, *Il labirinto di carta* [The Labyrinth of Papers] (Milano: Proedi Editore, 2010); Livia Fleischmann (who Magyarised her name to Fenyő) in Florence who published her memoirs: Lili Fenyő, *Pillanatfelvételek a külföldön élő magyar diákság életéből* [Snapshots from the Life of Hungarian Students Abroad] (Budapest: Jupiter Nyomda, 1929).

8 Szlavikovszki (see note 5), p. 143.

9 See these two lists of students in the prosopography of Zsuzsanna Orosz. Zsuzsanna Orosz, “A padovai és a bolognai egyetem magyarországi hallgatói a két világháború között [The Hungarian students of the universities of Padua and Bologna between the two world wars]”, in *Tanulmányok az újkori külföldi magyar egyetemjárás történetéhez* [Studies on the Hungarian Peregrination Abroad in Modern Age], ed. by Ákos Horváth (Budapest: ELTE, 1997), pp. 223-260.

Although she reflects on the impact of the numerus clausus on this migration in her aforementioned study, Orosz did not examine whether the individuals she found among the enrolled students were Jewish or not. As I unfolded in my thesis, I found information on quite a few of the individuals present in the prosopographies of Orosz and Szlavikovszki, in alternative sources. I concentrated on the students whom I find in multiple types of sources, who were additionally definitely exiles of the numerus clausus. In this way I could reconstruct one pattern of integration of Hungarian Jewish students in fascist Italy.

Thus, my thesis was a first step in the process of filling the gap of the research field regarding the numerus clausus exiles who settled in Italy. In my work I synthesized the findings of Hungarian scholarly literature on the numerus clausus exiles and Italian literature on fascist Italy’s hospitality towards foreign Jewish students, while using primary sources as well, found first of all in the Hungarian National Archives, in the Central State Archives of Rome, and in the Archives of the University of Bologna.

JEWISH EMIGRATION PROVOKED BY THE NUMERUS CLAUSUS LAW OF 1920

Hungary was the first state in 20th century Europe to introduce new anti-Jewish legislation. Act No. 25 of 1920 (On the Regulation of Enrollment to University, Polytechnics, Faculty of

Economics at the University of Budapest and Law Academies) became known as the infamous “*numerus clausus*”. On the textual level it brought in a “proportional representation of racial groups in higher education” without specifying the desirable proportion and the “racial groups” concerned.¹⁰ However, the executive ordinance contained a table listing the proportion of eight racial groups in Hungary’s population that had to be matched in the student body of each university.¹¹ By listing Jewry among the racial minorities of the population this document introduced the notion of a Jewish “racial group” into Hungarian legislation. Previously the Hungarian legal system knew Jews only as adherents of Judaism.

Among all the minorities living in Hungary in 1920, only Jews were present at universities in a higher proportion than their percentage in the population.¹²

10 Previously to this law the only prerequisite of enrollment to a university was high school graduation with no regard to the applicants’ national or religious belonging.

11 Judit Molnár (ed.), *Számokba zárt sorok: a numerus clausus 90 évtávlátából [Destinies enclosed in numbers: The numerus clausus 90 years later]* (Budapest: Holokauszt Emlékközpont [Holocaust Memorial Center], 2011), pp. 60–61.

12 In Hungary between 1900 and the First World War twenty-three or twenty-four percent of the university students were Jewish, in contrast to six percent of the general population. Andor Ladányi, “On the 1928 Amendment to the Hungarian Numerus Clausus Act.”, in *The Numerus Clausus in Hungary: Studies on the First Anti-Jewish Law and Academic Anti-Semitism in Modern Central Europe*, ed. by Viktor Karády and Péter Tibor Nagy (Budapest: Pasts Inc. Centre for Historical Research, History Department

The *numerus clausus* law was clearly aiming at the reduction of the number of Jewish students at universities and not the increase of the number of students from national minorities (such as Ruthenian for instance) according to their proportion in the population, thus, it was by no means a strive for positive discrimination. The aim of the law was very clearly stated in the press and underlined by the fact that the new governor, Miklós Horthy, had in his entourage perpetrators of the antisemitic “White Terror” of 1919-1920, furthermore by the regularly committed anti-Jewish violence on university campuses in these few years.

Thus, the social background of the new antisemitic legislation was that antisemitism had gained impetus in Hungary during the First World War, which had a tremendous impact on public opinion and facilitated the rise to power for a nationalist and antisemitic political elite. During the war accusations against Jews for not fighting and dying for the homeland in the same proportions as other Hungarians were raised in the media as early as 1915, together with xenophobic attacks against the Galician Jewish refugees escaping the Russian army and arriving in Budapest.¹³

From 1920 onwards, due to the *numerus clausus* law, young Jews who planned to enroll in universities needed to modify their career strategies. Now

of the Central European University, 2012.), pp. 69-111 (p. 70).

13 Lajos Szabolcsi, *Két emberöltő [Two generations]* (Budapest: MTA Judaisztikai Kutatócsoport, 1993), p. 173.

they needed to fit into the quota of six percent in order to be able to enroll. Even though not all the faculties applied the law in the strictest way, and there were several ambiguities around the application, being enrolled in a Hungarian university was not the end of the struggles for a Jewish student. During the 1920s, verbal and physical aggression against Jewish students in universities was regularly on the agenda. For those who did not get into the numerus clausus imposed on Jewish students or did not even apply for enrollment because of the law, a possible option was to choose a profession that did not require a university degree. Thus, being excluded from the liberal professions led many young Jews to turn to professions which had been traditionally open for Jews, such as commerce and entrepreneurship.

However, emigration was also a very characteristic Jewish reaction. Victor Karády argues in his article dedicated to the Hungarian Jews who studied at Western European universities due to their exclusion from Hungarian universities, that among those Jewish families who were able to support their children, it was the most typical choice.¹⁴ The number of émigré Jewish students can be estimated at more than five thousand during the 1920s, if we count one thousand four hundred and fifty new enrollments each academic year, which is the number of Hungarian Jews graduating abroad with the financial support of the *Central Jewish Student*

Aid Committee until 1928.¹⁵ The *Central Jewish Student Aid Committee* was set up in 1922 with the aim of fundraising to support the émigré students. Counting those supported by this organization, we make sure that only those émigrés are counted who had to leave because of the anti-Jewish numerus clausus. However, we exclude a part of the Jewish émigrés who were not financed by the Committee, whose families could maintain them abroad.

We can find data in the *Hungarian Statistical Yearbooks* of the period regarding the number of Hungarians enrolled in universities in different countries, listed by faculty. From the data of the *Statistical Yearbooks* we cannot know how many of the emigrants were exiles of the numerus clausus (i. e. Jews). We do not even know how many of the enrolled students actually graduated abroad. Alajos Kovács, in his statistics about Hungarian Jewish students in Hungarian and in foreign higher education, estimated that eighty percent of Hungarian students who studied at foreign universities were

15 Mária Kovács, *Törvénytől sújtva: a numerus clausus Magyarországon, 1920-1945 [Down by Law: The Numerus Clausus in Hungary, 1920-1945]* (Budapest: Napvilág Kiadó, 2012), p.164.; Szabolcsi Lajos jelentése a Központi Zsidó Diákbizottság működéséről. Jelentés a Magyarországi Izraeliták Országos Irodájának 1929. éviműködéséről. [Report by Lajos Szabolcsi on the activity of the Central Jewish Student Aid Committee to the Office of Israelites of Hungary. Report on the activities of the Office of Israelites of Hungary in 1929] 1929. K28 (Department of Nationalities and Minorities), 14/53rd item, Magyar Nemzeti Levéltár [Hungarian National Archives] –Henceforth abbreviated as MNL.

14 Karády 1992 (see note 3).

Jewish (not counting those receiving a state-funded stipend).¹⁶ He argued that even before the numerus clausus, most of the Hungarian emigrant students were Jewish, a proportion which grew due to the numerus clausus law after the war, and the huge proportion of Hungarian students leaving Germany in 1933 suggested the preponderance of Jews among them.¹⁷

The first waves of the numerus clausus refugees went to study in the German-speaking universities of Czechoslovakia, to Austria and to Germany.¹⁸ Besides obvious geographical reasons, they opted for these institutions because German was traditionally spoken by Hungarian Jewry – just like Central European Jewry in general.¹⁹ As mentioned earlier,

Victor Karády and Michael L. Miller have already conducted research on the numerus clausus exiles who studied in Central Europe. The migrants heading to Italy are to be examined in this context, since many migrant students did not peregrinate to only one university and to only one country, but on the contrary, their student life was characterized by wandering so that the medieval image of the wandering Jew became a topos in the Hungarian Jewish press of the 1920s and 1930s.²⁰

As Michael L. Miller explains in his above mentioned article on Hungarian Jewish students in interwar Berlin, lot of the numerus clausus exiles left Czechoslovakia in the early 1920s. After the Czechoslovak currency crashed, many of the numerus clausus refugees went to Germany, which by 1923 had become a hostile environment for foreign Jews, provoking a new migration towards Italy, France, Switzerland and elsewhere.²¹ Vienna remained a popular destination until the Anschluss due to the vicinity and the prestige of its medical faculty. Even though at the Viennese university Jewish students had to face antisemitic attacks, just like

16 Alajos Kovács, "Magyarországi zsidó hallgatók a hazai és külföldi főiskolákon [Hungarian Jewish Students at Hungarian and Foreign Universities]", *Magyar Statisztikai Szemle [Hungarian Statistical Review]* 16.9 (1938), pp. 897-902, (p. 898).

17 Ibid. Alajos Kovács was a statistician well-known for his antisemitism. He never wrote about "Hungarian Jews", only about "Jews from Hungary".

18 For instance, in 1921/22 Prague attracted 1,100 Hungarian students, in 1922-23 Vienna hosted 800 Hungarian students. Nathaniel Katzburg, *Zsidópolitika Magyarországon: 1919-1943 [Jewish Policy in Hungary: 1919-1943]* (Budapest: Babel Kiadó, 2002), p. 58.; Pál Bethlen (ed.), *A Magyar Zsidóság Almanachja. [Almanach of Hungarian Jewry]* (Budapest, 1925.), pp. 122-123.

19 Tibor Frank, "All modern people are persecuted': Intellectual exodus and the Hungarian trauma, 1918-1920", in *The Numerus Clausus in Hungary: Studies on the First Anti-Jewish Law and Academic Anti-Semitism in Modern Central Europe*, ed. by Viktor Karády and Péter Tibor Nagy (Budapest: Pasts Inc. Centre for

Historical Research, History Department of the Central European University, 2012.) pp. 176-205. (p. 190).

20 Miller (see note 4), pp. 208-209.

21 Antisemitic hostility towards foreign students was not a brand new phenomenon in Germany, since anti-Jewish hostility against Russian Jewish students was framed by student associations already before the First World War as the so-called "Ausländerfrage". Jack Wertheimer, "The 'Unwanted Element': East European Jews in Imperial Germany", in *Leo Baeck Institute Yearbook* 26 (1981), pp. 23-46.

in Hungary.²² After the Nazi seizure of power in 1933 the remaining Hungarian Jewish colony of Berlin also left for the above mentioned countries.

Victor Karády – after investigating the registration books of Viennese University and the German technical universities of Brno and Prague – found that after 1920 almost all the Hungarian students (between 91% and 98%) enrolled in the Viennese medical faculty and these technical universities were Jewish by denomination. Without having a particular reason to assume that it was significantly different at Western European universities, Karády concludes that more than 90% of Hungarian students who enrolled in foreign universities throughout the 1920s and 1930s were Jewish.²³

As Italian universities (at least since the early modern age) did not belonged to the typical targets of academic peregrination from Hungary, it is reasonable to assume that the proportion of Jews among Hungarian students was similarly high in Italy to that in Czechoslovakia, Austria and Germany. However, due to the strengthening of Italian-Hungarian political and cultural ties, manifested in bilateral contracts, the number of non-Jewish Hungarian guest students could increase during the interwar period. Unlike Italian documents, Hungarian personal documents, including birth certificates and high school degrees, indicated the individual's

denomination. Thus, one needs to turn to Hungarian sources to find out who were Jewish among Hungarians in Italy. Since students needed to present their high school degrees for enrollment, it would be possible to closely estimate the proportion of Jews among Hungarian migrant students if one would review all the files of all the Hungarian students in all the Italian universities' archives that preserve the students' files from the fascist period (acknowledging however, that some archives might not have all the student dossiers of the period). The students' dossiers typically contain all the documents connected to the given student, including birth certificate, high school degree, application, and eventually her/his thesis.

THE DYNAMICS OF HUNGARIAN JEWISH PEREGRINATION TO ITALY IN THE AGE OF THE NUMERUS CLAUSUS

First of all it is important to point out that the Jewish quota defined by the numerus clausus was applied from 1920 to the end of the Second World War and not until 1928, when the numerus clausus law was amended and the explicit Jewish quota changed for a quota based on the profession of the applicants' father. This emphasis is necessary, since in Hungarian public discourse a narrative downplaying the significance and the gravity of the numerus clausus law is still held, and backed up by cotemporary political efforts to construct a positive image of the Horthy-regime. This current narrative of the numerus clausus states

22 László Farádi, *Diagnózis az életemről [A Diagnosis of My Life]* (Budapest: Gondolat, 1983).

23 Karády 1992 (see note 3).

that in the amended version of the law (1928: XIV.) the Jewish quota of the original law (1920: XXV) was abolished. “*Down by Law. The numerus clausus in Hungary, 1920–1945*” by Mária Kovács combats this interpretation.²⁴ The author argues that the alleged abolition in 1928 was only a phony amendment which led to a slight increase in the number of accepted Jewish students at Hungarian universities.

The statistics of Hungarians studying in higher education abroad also reveal that student migration did not decrease significantly after 1928, only oscillated around the same number of migrant students. Since the new regulation based on the amended law came into force in October 1929, it is worth comparing the data on émigré students for the academic year 1928–29 with subsequent academic years.

Table 2: Hungarian émigré students before and after the amendment of the numerus clausus²⁵

Academic year	Number of Hungarian students abroad (first semester)	Number of Hungarian students in Italy (first semester)
1928-1929	1882	213
1929-1930	1773	215
1930-1931	1887	287

Although we must not take the number of émigré students simply as the number of numerus clausus exiles, it is certain that Jews had the most reasons to enroll in foreign universities. By the late 1920s there were more than enough places for students in Hungarian higher education. Thanks to the educational politics of Minister Kunó Klebelsberg, the Hungarian state invested heavily in the development of education and scholarship.²⁶ On the one hand Klebelsberg argued that Hungary must demonstrate its cultural superiority over the neighboring countries in order to convince the great powers that the Treaty of Trianon – expanding the neighboring countries at the expense of Hungary – was a mistake and should be revised. On the other hand, the same Treaty of Trianon restricted the military investments of Hungary, providing an opportunity to channel more spending into the sphere of education and the financing of culture.

It was especially true for Italian universities, that unless one had a reason to study there, because of studying in a

24 M. Kovács (see note 15)

25 Data for the years concerned in the *Hungarian Statistical Yearbooks*: “A magyar honosságú hallgatók a külföldi főiskolákon 1926/27-től 1928/29-ig [Hungarian citizens studying in higher education abroad from 1926/27 to 1928/29]”, in *Magyar Statisztikai Évkönyvek [Hungarian Statistical Yearbooks]* 37 (1929), p. 272.; “A magyar honosságú hallgatók a külföldi főiskolákon 1928/29-től 1930/31-ig. [Hungarian citizens studying in higher education abroad from 1928/29 to 1930/31.]” in *Magyar Statisztikai Évkönyvek [Hungarian Statistical Yearbooks]* 39 (1931), p. 285. “A magyar honosságú hallgatók a külföldi főiskolákon 1929/30-tól 1931/32-ig [Hungarian citizens studying in higher education abroad from 1929/30 to 1930/31.]”, in *Magyar Statisztikai*

Évkönyvek [Hungarian Statistical Yearbooks] 40 (1932), p. 293.

26 It is worth keeping in mind that the only Hungarian Noble-laureate who brought off the research – for which being awarded – in Hungary and not abroad, is Albert Szentgyörgyi, who fulfilled his experiments in the 1930s and received the Nobel Prize in medicine in 1937.

specific field (such as marine biology or art history), for the sake of the most general liberal professions (medicine, law, engineering) it was not worth emigrating there, if one could easily enroll in a Hungarian university. This was the case, simply because the difficulties taken up by enrolling in an Italian university, thus studying in a foreign language and earning a living in a foreign country were not proportional to the advantages of an Italian degree. Due to history, Hungarian higher education was close to the German university system, therefore a German degree made integration in the Hungarian labor market easier, it was more positively evaluated internationally as well, than an Italian degree. Therefore non-Jewish students and scholars granted Hungary's famous Klebelsberg-grant usually did not graduate in Italy, but went for shorter research trips and specific courses.²⁷

Yet during the interwar period Italy became the third most often chosen country by Hungarian migrant students after Austria and Germany.²⁸ Before 1923 only few Hungarians enrolled in Italian universities. In 1923 Mussolini's government decided to offer free tuition for qualified foreigners to study in Italian higher education for two years, which attracted two to three hundred foreign students. According to the Florentine Jewish community's observation the majority of them were Jewish.²⁹ It is

not known how many of them were Hungarians, since the statistics of the Hungarian Statistical Office about Hungarians studying abroad does not specify data regarding Italy before the academic year 1925-26. Nevertheless, 1923 was clearly seen as the beginning of the influx of the *numerus clausus* refugees in Italy. An article titled "Thanks to Mussolini" in *Egyenlőség* in December 1923 reported that the Mussolini government's minister, Giovanni Gentile, instructed Italian universities to waive the tuition and exam fees for "Hungarian Jewish students".³⁰ Lajos Szabolcsi when presenting the activity of the *Central Student Aid Committee* to the *Office of Israelites of Hungary* in 1929, interpreted the law again as if it had been relevant only for Hungarian Jews.³¹ This interpretation was slightly misleading, because the law was about foreigners in general, not specifically about Hungarians, and probably Mussolini and Gentile did not intend to invite only Jews. At the same time, the enthusiasm of Lajos Szabolcsi, the most enthusiastic protector of the *numerus clausus* refugees, is understandable.

Furthermore, 1923 saw the comprehensive reform of the Italian educational system introduced by the Minister of Public Education, Giovanni Gentile, (well-known as a philosopher). After this reform the international prestige of Italian higher education and the internationalization of the student body were major concerns of the leaders

27 Szlavikovszki (see note 5) pp. 138-139.

28 Ibid. p. 132.

29 Michael A. Ledeen, "The Evolution of Italian Fascist Antisemitism", in *Jewish Social Studies*, 37.1 (1975), pp. 3-17 (p. 5).

30 "Köszönet Mussolininek [Thanks to Mussolini]", in *Egyenlőség*, 42. 48. (1923), p. 2.

31 Szabolcsi 1929 (see note 15).

of the educational system. Both of these aims served a further aim of Italian politics, namely the expansion of Italian culture and influence beyond its borders. In order to attract foreign students, numerous universities discounted the tuition fees for foreigners, and in 1926 halved tuition fees for foreign students were introduced on the national level, while the application procedure was simplified as well.³²

For Jews who left Hungary due to the numerus clausus, the lack of antisemitism might have been just as important a factor in choosing Italy as the relatively low costs.

Hungarian Jews could follow the developments of Italian policy through their denominational press, mainly by reading the weekly “*Egyenlőség*”. Since Hungarian Jewry reacted to the numerus clausus immediately with a wave of student emigration, the *Central Committee for Student Aid* was established. The Committee’s activity was not restricted to fundraising, but included the collection of information from students already studying abroad and correspondence with prospective students requiring information. The editor in chief of *Egyenlőség*, Lajos Szabolcsi, was one of the founders of the *Committee*, an enthusiastic organizer of Hungarian Jewish peregrination. He remarked in his memoir written in 1940-42: “we saved a whole Hungarian

Jewish generation for life, work and culture.”³³

The Committee and Szabolcsi’s Jewish weekly, *Egyenlőség*, played an essential role indeed in the support of the numerus clausus refugees and in informing Hungarian Jewish public opinion about the possibilities of peregrination. *Egyenlőség* published letters of students from Italy as well, reporting on the difficulties of finding employment there and financial support from the Italian Jewish communities on the one hand, and on the other hand on a generous philanthropist, Elena Jaffe, who supported the students with money, accommodation and helped them in finding employment.³⁴

As we learn from *Egyenlőség* and from the “*Almanach of Hungarian Jewry*”, Elena Jaffe was a Hungarian lady living in Padua with her Italian husband and was most active in the intervention on behalf of her compatriots.³⁵ This *Almanach*, written with the purpose of convincing public opinion that the numerus clausus should be abolished, detailed other difficulties as well which the numerus clausus refugees had to face, such as the lack of student canteens in Milan, Florence, Padua and Rome. However, the most highlighted aspect of studying in Italy was the courtesy

32 Francesca Pelini and Ilaria Pavan, *La doppia epurazione: l'Università di Pisa e le leggi razziali tra guerra e dopoguerra* [The Double Purge. The University of Pisa and the Racial Laws between War and Post-War Period] (Bologna: Il Mulino, 2009) p. 43.

33 Szabolcsi 1993 (see note 13), p. 328.

34 “Mibe kerül egy magyar zsidó diák megélhetése a külföldi egyetemi városokban [How much does it cost to live in a university town abroad for a Hungarian Jewish student]”, *Egyenlőség* 44.31 (1925), p. 8; “Elena Jaffe, olasz bujdosók megmentője [Elena Jaffe, savior of the exiles in Italy]”, in *Egyenlőség* 42.48 (1923), pp. 2–3.

35 Bethlen (see note 18), p. 145.

and kindness of Italians, manifested even in professors letting students take exams in German.³⁶ Since this book was published three times between 1925 and 1940, there was probably a demand for it among Jews considering studying abroad who read it as a source of useful information.

The amendment of the *numerus clausus* in 1928 did not significantly influence the number of émigré Hungarian students either generally or specifically in Italy and as argued above, this does not mean that the majority was not Jewish. One would expect that the economic crisis of 1929-1933 made the economic situation of Hungarian families so difficult that it could have led to the decrease in the number of émigré students. However, this effect is demonstrated only after 1932. The academic year of 1931-32 actually saw the peak of Hungarian students' presence in Italy with two hundred and ninety-seven individuals enrolled.³⁷

An intuitive hypothesis is that after 1933 numerous Hungarian Jewish students left Germany for Italy due to the Nazi seizure of power. Quantitative data show that the number of Hungarian students in Germany decreased from one hundred and ninety-five to one hundred and twenty-four between the two semesters of the

academic year 1932-1933.³⁸ Thus, more than one quarter (seventy-five) left Germany exactly around January 1933, when Hitler became chancellor. In Italy, however, there were no more students in the second than in the first semester (two hundred and forty-two). Although in the next academic year we see further decrease in the number of Hungarians in Germany (ninety-eight) and increase in Italy (two hundred and eighty-nine),³⁹ we cannot identify who chose Italy in 1933-1934 over Germany to continue studies and who preferred France, Switzerland or Belgium and who were those who returned to Hungary, until the full prosopography of the *numerus clausus* exiles in all the target countries concerned is prepared.

Later in the 1930s Hungarian students' presence in Italy somewhat decreased due to a new law of 1935 which made it difficult for foreign citizens to work in Italy as doctors, veterinarians or pharmacists.⁴⁰ By the mid 30s Italian

36 Ibid.

37 "A magyar honosságú hallgatók a külföldi főiskolákon 1929/30-tól 1931/32-ig [Hungarian citizens studying in higher education abroad from 1929/30 to 1930/31]", in *Magyar Statisztikai Évkönyvek [Hungarian Statistical Yearbooks]* 40 (1932), p. 293.

38 "A magyar honosságú hallgatók a külföldi főiskolákon 1930/31-től 1932/33-ig [Hungarian citizens enrolled in higher education abroad from 1930/31 to 1932/33]", in *Magyar Statisztikai Évkönyvek [Hungarian Statistical Yearbooks]* 41 (1933), p. 318.

39 "A magyar honosságú hallgatók a külföldi főiskolákon 1931/32-től 1933/34-ig [Hungarian citizens enrolled in higher education abroad from 1932/32 to 1933/34]", in *Magyar Statisztikai Évkönyvek [Hungarian Statistical Yearbooks]* 42 (1934), p. 321.

40 This law (Royal Decree Law No. 184/1935 of March 5, 1935) prescribed membership in the respective professional associations for the practice of these professions, and membership in these organizations was normally granted only to Italian citizens. Elisa Signori, "Una peregrinatio academica in età contemporanea: gli

professional associations demanded that the internationalization of the universities should not lead to the permanent settling of so many foreign competitors in the country. However, the final stop to the influx of foreign (including Hungarian) Jewish students occurred with the introduction of antisemitic legislation in 1938, which meant a drastic decrease in the number of foreigners in general.

The introduction of the anti-Jewish legislation in Italy was utilized as an apropos by Alajos Kovács, antisemitic Hungarian statistician, a vehement supporter of the numerus clausus, to publish his overview of the “results” of the numerus clausus. In his introduction to his article we can read that:

*The decision of the Italian government to ban foreign Jews from universities will hardly hit Hungarian Jewry as well, since it often sent its sons to Italian universities after the numerus clausus law.*⁴¹

An interesting dynamics of Hungarian peregrination can be observed within Italy as well. While in the 1920s the University of Padua was the most frequented Italian university, later on the numerus clausus exiles discovered more and more universities as the years passed. In the 1930s

studenti ebrei stranieri nelle università italiane tra le due guerre [An Academic Peregrination in Contemporary Age: The Foreign Jewish Students at the Italian Universities between the Two Wars], in *Annali di storia delle università italiane* 4 (2000), pp. 139-162 (pp. 157-158).

41 A. Kovács (see note 16), p. 897.

Bologna took on the primacy from Padua.⁴² Studying the reports of *Egyenlőség* which had a major role in informing the Hungarian Jewish public opinion, we can reconstruct the reasons for the inter-university mobility in Italy. *Egyenlőség* informed its readers several times about the comparative costs of maintaining a student in different university towns of different countries. While Italy was unambiguously the cheapest country to live in among the typical destinations (Germany, Austria, Switzerland, France), there were significant differences in the living standards of Italian cities. Thus, although travelling between Hungary and Northern Italy was cheaper than between Southern Italy and Hungary, this could be counterbalanced by the generally lower living standard of Southern cities. Therefore some students decided to leave the North for Naples, Palermo or Catania.

The dynamics of peregrination within Italy were not shaped only by the most obvious factors. It was discovered soon that the disproportionate influx to Padua might lead to backlashes, since by 1925 the University of Padua got into a very difficult financial situation due to the presence of hundreds of foreign students studying for free or for a reduced tuition fee. Therefore Professor Guido Mazzoni on behalf of the *Italian Committee for the Foreign Jewish Students* asked Hungarian Jewish youth via *Egyenlőség* to make sure that not all of them would be concentrated

42 Szlavikovszki (see note 5), p. 134.

in one university.⁴³ Maybe to further emphasize the importance of this message, in the same issue of *Egyenlőség* an article by András Fenyves, a medical student in Catania, was published. Fenyves detailed the beauty of living and studying in Sicily, mentioning that he had left Padua for Sicily with four friends because Padua had become too crowded.⁴⁴

In 1923-1924 seven Hungarian Jewish students were enrolled in Padua according to a report, and then numerous *clausus exiles* leaving Germany arrived in groups of twenty and thirty persons. Regarding the number of foreign students in general, it reached more than five hundred by 1925.⁴⁵ Therefore a Hungarian Jewish medical student, Béla Herczog, sent an article to *Egyenlőség* to inform his peers that in Padua there were already too many foreign students, therefore the community of numerous *clausus exiles* should consciously spread more proportionately among the universities of Italy, not to provoke the withdrawal of the favorable regulation of tuition fees for foreigners.⁴⁶

The preponderance of Jews among Hungarian migrant students in Italy was acknowledged several times by

Hungarian clerks too during the 1920s and 1930s. An interesting report written in 1928 by István Pózel, Hungarian consul in Milan, to the Ministry of Foreign Affairs, pointed out that the vast majority of Hungarian students in Northern Italy⁴⁷ were not those who were meant to benefit from Hungarian-Italian friendship. I present this report in detail for its valuable prosopographical data which provided a detailed cross-section of one academic year of the history of Hungarian peregrination to fascist Italy.

Pózel introduced his report by noting that previously to the Great War only a few Hungarians went to study in Italy, however, after the “collapse and especially after the numerous *clausus*” the number of Hungarian students arriving in Italy started to increase. Besides Austrian, Czech and German universities, Northern Italian institutions of higher learning were chosen by many Jewish emigrants to pursue their studies.⁴⁸ Thus, Pózel connected the presence of Hungarian students in Italy to the numerous *clausus* from the outset. Later on he detailed the hospitality of Italian universities towards these students. Students were allowed to postpone exams in order to have time to improve their Italian knowledge. Most of the universities waived the tuition fees of those enrolled

43 “A *numerus clausus* hatodik éve előtt [Before the sixth year of the *numerus clausus*],” in *Egyenlőség* 44. 34 (1925.), p. 2.

44 András Fenyves, “Így éltünk Szicíliában [This is how we lived in Sicily],” in *Egyenlőség* 44.34 (1925), p. 12.

45 Béla Herczog, “Ne menjünk Páduába! Az Itáliába készülő diákokhoz. [Let’s not go to Padua! To the students preparing to come to Italy],” in *Egyenlőség* 44.36 (1925.), p. 2.

46 Ibid.

47 Ten out of the nineteen Italian universities were in Northern Italy.

48 István Pózel, “Milánói Magyar Királyi Főkonzulátus levele [Letter of the Hungarian Royal Consulate of Milan],” April 15, 1928, Ministry of Foreign Affairs, K-60-1928. 20. 1/6. item: Italy, MNL.

in 1924-25 and halved the tuition fees for those enrolling later.

Pózel still in the same letter commented on the data he attached to it. The majority of Hungarian students at Northern Italian universities enrolled in medical faculties and the vast majority was Jewish, although in some cases it was not possible to ascertain the religion of the individual. Pózel did not identify the sources of his information, but presumably he asked for the data on Hungarians from the universities, since he uses the type of data administered when enrolling students. Additionally, he mentioned interesting details on the financial circumstances of the students. Most of them had financial difficulties, were provided only with meager support from their families and from Jewish organizations. Therefore they were eager to find part-time employment while studying. How difficult it was, we know from the reports of *Egyenlőség*.

The most striking remark made by Pózel is that the behavior of these mostly Jewish Hungarian students was decent in terms of “loyalty to the nation”. Although in the immediate aftermath of the numerus clausus and the franc counterfeit scandal of 1925⁴⁹ some of the students in Milan and Turin expressed certain opinions about Hungarian

politics which required the intervention of the consulate, later on the student colonies behaved loyally. The Padua-based “*Circle of Hungarian Students*” even received a special commendation from the Ministry of Foreign Affairs for its patriotic attitude. From the earlier quoted report by Lajos Szabolcsi about the *Student Aid Committee’s* activity we can reconstruct that this commendation was expressed by Foreign Minister Lajos Walkó on behalf of the Hungarian government in the summer of 1926.⁵⁰

In terms of data, Pózel provided to this letter a table displaying the number of Hungarian students enrolled in Italian universities in the academic year 1927-28, faculty by faculty and the list of Hungarians at each university adding all the available data on the students’ address, parents’ names, place of birth, faculty of enrollment and religion. He listed two hundred and three Hungarians, out of which forty-four were indicated as “Israelites”, thus he could not support with his prosopography the statement that the majority was Jewish. The reason was that not all the universities provided him with data on the students’ religion. Interestingly, even different faculties of the same universities had different policies in this respect: for instance, at the Royal University of Milan the medical faculty provided this data for Pózel, while the faculty of engineering did not. The universities of Padua and Bologna, accounting for the majority (one hundred and eighteen) of Hungarian students (eighty and

49 In 1925 two Hungarian citizens were arrested in the Netherlands for having manufactured false French francs to the value of ten million francs, partly in order to take revenge on France as a creator of the Treaty of Trianon and partly for the purposes of irredentist organizations. As the investigations revealed, the false bank notes were produced in the Hungarian State Cartographical Office.

50 Szabolcsi 1929 (see note 15).

thirty-eight respectively) did not record religion, nor did the universities of Pisa, Florence and Genoa, whereas the universities of Modena, Turin, and Pavia did. Nevertheless, Pózel reasonably assumed a preponderance of Jews among Hungarian students, since the lists of those universities which indicated religion, were virtually fully “Jewish lists”, with maximum one exception.⁵¹

The official statistics of Hungarians enrolled in Italian higher education provided for the same academic year in the *Hungarian Statistical Yearbooks* (*Magyar Statisztikai Évkönyvek*) is different, there are two hundred and thirty-one students indicated.⁵² It is necessary to note first of all, that Pózel’s list was about Hungarians in terms of *nationality*, including Romanian, Czechoslovak and Yugoslavian citizens who came from the territories annexed to these countries in 1920. The Hungarian Central Statistical Office (Központi Statisztikai Hivatal), the publisher of *Hungarian Statistical Yearbooks*, collected data on Hungarian citizens. For this reason one would expect the latter statistics to indicate

a lower number than the former. However, the difference can probably be explained with the official statistics counting Hungarians enrolled in Southern Italian universities, such as the “Stazione Zoologica” of Naples – with which the Hungarian State maintained official partnership from as early as 1883 sending Hungarian students with stipends – and theology students of the Lateran and the Gregorian Universities. Obviously, the two latter institutions attracted Catholic Hungarians and not the exiles of the *numerus clausus*. Additionally, the University of Rome was also an important institution not included in Pózel’s report because it was not in Northern Italy. Consequently, he neglected the twenty-five Hungarian students of Rome’s state university as well.⁵³

Turning to the prosopographical data provided by Pózel’s letter, it introduces four individuals whose life was followed in detail in my thesis (among the lives of other individuals): Gyula Fogel, György Ney, György Sándor, and Imre Lukács, on the basis of the documents found in the archives of the University of Bologna and in the Central State Archives of Rome. Gyula Fogel and György Ney studied engineering in Milan, both of them lived in Italy as engineers even during the Second World War. György Sándor was studying medicine in Bologna at this time. Later he became a dentist in the same city. He was exempted from the Italian anti-Jewish laws in 1939 and we find him in Bologna even in 1944 as

51 At the medical faculty in Milan five out of six Hungarians were Jewish, at the medical faculty in Modena all the fourteen Hungarians, in Turin twenty-three out of twenty-four Hungarians, and also in Pavia the only one Hungarian happened to be Jewish.

52 “A magyar honosságú hallgatók a külföldi főiskolákon 1925/26-tól 1927/28-ig [Hungarian citizens enrolled in higher education abroad from 1925/26 to 1927/28]”, in *Magyar Statisztikai Évkönyvek [Hungarian Statistical Yearbooks]* 36 (1928), p. 278.

53 Ibid.

a dentist living with his Italian family. Imre Lukács was studying in Padua in 1927-1928, where he was the founder of a student group of “*Foreigners who support fascism*”. Later he converted to Catholicism and married into a respected fascist family. In 1938 both his wife and his father-in-law intervened on his behalf to prevent his expulsion from Italy as a foreign Jew.

THE CONTROVERSIAL ATTITUDE(S) OF ITALIAN FASCISM TO FOREIGN JEWISH STUDENTS

Italian fascism did not possess one comprehensive Jewish policy, but practiced every possible policy towards Jews throughout its history ranging from neutrality through benevolence and favoring Zionism to antisemitism. Such controversial policies were occasionally even implemented simultaneously, until the antisemitic turn of 1938.

The kinship of Italian fascism and German Nazism and the involvement of fascist Italy in the Second World War as an ally of the Nazi Third Reich compels scholars to pose the question whether Italian fascism was predetermined to turn antisemitic or whether this was a contingent development linked to the community of interests with Nazi Germany. I argue that antisemitism was not a *sine qua non* of Italian fascism (whereas it was a *sine qua non* of the Horthy-regime which ruled Hungary between 1920 and 1944), however the fascist doctrine and the regime was compatible with antisemitism. The

sudden “*Voltefaccia*” (“turnabout”) of the fascist system in 1938 was not solely the consequence of German influence but of an internal development as well.

Historians holding that the racist and antisemitic turn of the Italian fascist regime was only due to the German influence speak about a process of “de-fascistization of fascism” (*defascistizzazione del fascismo*) as termed by Emilio Gentile.⁵⁴ According to this line of argumentation, Italian fascism lost its essence as it turned antisemitic under Nazi pressure, and the regime that persecuted Jews in Italy was a regime different from the original fascist system. While this narrative appears to be rather apologetic and handy for those downplaying the crimes of fascism, it can be supported with a few reasonable arguments.

First of all, the amicable relationship of Italian Jewish communities with the regime, referred to as their “honeymoon period” by Meir Michaelis,⁵⁵ lasted for quite a long time, the first fourteen years of the regime (1922-1936). While the integration of Italian Jewry continued

54 Emilio Gentile, *Fascismo: storia e interpretazione [Fascism: History and Interpretation]* (Roma-Bari: Laterza, 2002).

55 Meir Michaelis, “The Current Debate over Fascist Racial Policy”, in *Fascist Antisemitism and the Italian Jews*, ed. by Sergio Della Pergola and Robert Wistrich (Jerusalem: Vidal Sassoon International Center for the Study of Antisemitism, Avraham Harman Institute of Contemporary Jewry, Hebrew University of Jerusalem, 1995), pp.49-96 (p. 50); Meir Michaelis, *Mussolini and the Jews: German-Italian Relations and the Jewish Question in Italy, 1922-1945* (Oxford: Oxford University Press, 1978), p. 48.

during fascism, at the same time this period saw the revival of Jewish consciousness⁵⁶ when compared to the pre-WWI liberal age in which the Jewish public opinion raised the identification with Italy (“italianità”) to the level of a religious duty.⁵⁷ Such a renaissance of Judaism was an effect of the heated nationalism of the social environment, and the founding of Jewish schools (provoked by the increase of Catholic influence on public schools). At the same time the Jewish renaissance was encouraged by Mussolini’s publicly expressed sympathy for Zionism as well. Mussolini favored Zionism for its anti-British function. After concluding by the 1930s that the general Zionists did not fulfill this, he shifted his support to the Revisionist Zionists who fought against the British Mandate.

Mussolini not only counted on Zionism as a weapon against British colonialism, but counted on Italian Zionists in particular to expand Italian influence in the Mediterranean through building partnerships with the Jewish communities. Both the Rabbinical Academy of Rhodes established in 1926 and the *Federation of Sephardic Jews* founded in 1929 functioned under the

patronage and with the financial support of the Italian government.⁵⁸ Later on, between 1934 and 1938 the Italian government financed the training of German, Czechoslovak, Polish and Lithuanian Revisionist Zionists in the nautical school of Civitavecchia.⁵⁹ With this support Italy provided the future Jewish state with professional sailors and in exchange provided itself with potential diffusers of Italian culture in the Middle East.

It is important to note that the strengthening of Italian nationalism as an aim of the fascist leadership, did not necessarily lead to a strengthening of antisemitism, since Italian nationalism

56 Ledeen (see note 29) p. 5; Cristina Bettin, *Italian Jews from Emancipation to the Racial Laws* (New York: Palgrave Macmillan, 2010).

57 Robert S. Wistrich, “Fascism and the Jews of Italy”, in *Fascist antisemitism and the Italian Jews*, ed. by Sergio Della Pergola and Robert S. Wistrich (Jerusalem: Vidal Sassoon International Center for the Study of Antisemitism, Avraham Harman Institute of Contemporary Jewry, Hebrew University of Jerusalem, 1995), pp. 13-18 (p. 13).

58 Simonetta Della Seta “Italian Zionism Confronts Fascism and the Racial Laws”, in *Fascist antisemitism and the Italian Jews*, ed. by Sergio Della Pergola and Robert S. Wistrich (Jerusalem: Vidal Sassoon International Center for the Study of Antisemitism, Avraham Harman Institute of Contemporary Jewry, Hebrew University of Jerusalem, 1995., pp. 37-48 (p. 40).

59 “Correspondence of the Association of Italian Revisionist Zionists with the President of the Nautical Schools’ Council, and correspondence of the latter with the Department of Public Security in the Ministry of Interior”, 1934, Ministero dell’ Interno, Direzione Pubblica Sicurezza, A16 Ebrei Stranieri [Foreign Jews], 70th item, Archivio Centrale dello Stato di Roma [Central State Archives of Rome] –Henceforth abbreviated as ACS; Della Seta (see note 58), p. 44. A famous graduate of Civitavecchia was Zvi Kolitz, author of Mussolini’s Hebrew biography *Mussolini ishiuto vetorato [Mussolini, his personality and his teaching]* published in Tel Aviv in 1936, author of the influential religious Yiddish text *Jossl Rackowers Wendung tsu G-ot [Yosl Rakover Talks to God]* (Buenos Aires, 1946) and co-producer and co-writer of the first Israeli full-length feature film *Hill 24 Doesn’t Answer* (1954).

was anticlerical from the outset, the unification of Italy was a result of a long struggle against the Catholic Church (among others). Therefore Italian nationalists did not take on Catholic anti-Judaism and did not secularize it as occurred in the case of numerous European nationalisms. In fact it was anticlericalism rather than antisemitism that provided a functional equivalent in fin-de-siècle Italy for middle and lower middle class discontent.⁶⁰

The *Lateran Concordat* of 1929, however, broke the anticlerical tradition of the nation-state. With its establishment instead of anticlericalism, Catholicism became a marker of Italian identity. At the same time also the Jewish communities succeeded in demanding a similar arrangement for themselves, manifested in the *Rocco Laws* of 1930-31 which established the *Union of Italian Jewish Communities*. Jews were obliged to belong to the territorially competent community and to contribute with annual dues (those who refused to do so had to compile a file to officially break up with Judaism). This regulation obviously violated religious freedom and made it subsequently easy to identify Jews in the period of persecution. Nevertheless in 1930-31 this meant an achievement for the communities' leadership, and scholars arguing for the independence of Italian fascism and antisemitism justifiably point to the fact that the Jewish denominational leadership benefited from fascism. At the same time, scholars on the other side of the debate justifiably point out that the regime abandoned

anticlericalism, which was the key to Jewish integration in Italy.

The rise of Nazism did not immediately change Italian fascism, since cooperation between Italy and Hitler's Germany was rather cumbersome. After the NSDAP's (Nationalsozialistische Deutsche Arbeiterpartei) noticeable success in September 1930,⁶¹ Mussolini and leading Italian publicists expressed sympathy for the Nazi party, still disassociating themselves from Nazi racism. For Mussolini, it was a "Nordic heresy" of true fascism and he dismissed it two years later as "nonsense" ("stupidaggine") in Emil Ludwig's volume of interviews, *Conversations with Mussolini*.⁶²

Historians insisting on the independence of Italian fascism and antisemitism emphasize the significance of the groundbreaking events of the international history of fascism which made Italy part of the same community of interest as Germany. In such a narrative the involvement in the Spanish Civil War on Franco's side in July 1936, the establishment of the Berlin-Rome Axis in October of the same year and the Anschluss in March 1938 can be explained as a chain of events ever increasing Nazi influence on Italy which explains the antisemitic turn. In this framework the antisemitic legislation is interpreted as a sign given by Mussolini

61 The NSDAP won one hundred and seven seats in the Reichstag out of five hundred and seventy-seven in the elections.

62 Michaelis (see note 55) p. 52; Benito Mussolini and Emil Ludwig, *Colloqui con Mussolini [Conversations with Mussolini]* (Milano: Mondadori, 2000), (Originally published in 1932).

60 Wistrich (see note 57), p. 14.

to Hitler to indicate his willingness to put aside rivalries after having acknowledged his failure to prevent Germany's expansion in Central Europe and readiness to stabilize the Berlin-Rome Axis. What is overlooked in this explanatory framework is Italy's major enterprise in those years: the building of a colonial empire in Ethiopia.

The publication of *"History of the Italian Jews under Fascism"* by Renzo De Felice⁶³ in 1961 introduced a new stream in historiography, antithetical to the narrative of the Nazification of fascism. De Felice interpreted the history of Italian fascism as a prelude to the Italian Holocaust, and the antisemitic legislation of 1938 as a logical development of Mussolini's dictatorship. The fiftieth anniversary in 1988 of the antisemitic legislation's implementation re-activated the debate over the connection of fascism and antisemitism.⁶⁴ Michele Sarfatti in his book, *"The Jews in Mussolini's Italy"*, also argued for an autonomous genesis of Mussolini's antisemitism challenging his image as a benevolent leader misled by Hitler.⁶⁵

Mussolini's main characteristic was indeed his inner ambiguity and deliberate duplicity in his declarations.

63 Renzo De Felice, *Storia degli ebrei italiani sotto il fascismo [History of the Italian Jews under Fascism]* (Torino: Einaudi, 1961).

64 Enzo Collotti, *Il Fascismo e gli Ebrei: le leggi razziali in Italia [Fascism and the Jews: The Racial Laws in Italy]*, 3. ed. (Roma-Bari: Laterza, 2008), p. 3.

65 Michele Sarfatti, *The Jews in Mussolini's Italy: From Equality to Persecution* (Madison: University of Wisconsin Press, 2006).

While Wistrich's statement that Germanophobia was a more authentic sentiment in Mussolini than antisemitism is convincing,⁶⁶ the very basis of his pro-Zionist choices was his belief in the power of the international Jewish community which was easily transformed in a belief in an "international Jewish conspiracy", the most common basis of modern antisemitism.

Mussolini was driven to become politically pro-German in 1936 due to the isolation and economic sanctions Italy suffered in the international arena after its aggression against Ethiopia. While we can state that such rapprochement increased German influence on his regime, we have to admit that the aggression against Ethiopia was an Italian initiative. The building of an empire by conquest both as the renovation of the ancient Roman Empire and as a "compensation" for Italy for its *"vittoria mutilata"* ("mutilated victory") in the First World War, belonged to the core of fascist ideology. The attack was justified in Italian media with racist propaganda, as a war against an allegedly inferior people.

It is essential that the antisemitic laws of 1938 were not the first pieces of racist legislation during fascism, but were preceded by the law of 19th April 1937 prohibiting marriages between Italians and Ethiopians.⁶⁷ While

66 Wistrich (see note 57), pp. 16-17.

67 R.D.L. 19 aprile 1937, n. 880 sulle sanzioni per I rapport d'indole coniugale tra cittadini e sudditi [Royal decree-law of 19th April 1937, n. 880 On the reprisals for conjugal relationships between citizens and subjects], Access: April 22, 2014. ,<http://archivio.camera.it/>

racism should not be confounded with antisemitism, this law indicates that raising “racial consciousness” among Italians became a major concern for the regime and that the definition of membership in the “Italian race” was the competence of those in power. Therefore the identification of Jews as racial outsiders or insiders was only a matter of the decision of the Fascist Grand Council. How distant anti-Black racism seemed from antisemitism in the eyes of contemporaries is demonstrated by the lack of Jewish opposition to anti-Black racism.

Indeed, the Italian-Ethiopian War is crucial in the evolution of fascist antisemitism not so much for the cultivation of racism as for its consequences that led to Mussolini’s disappointment with Zionists. Mussolini sent the two most authoritative spokesmen of Italian Zionism, Angelo Orvieto and Dante Lattes, to London, Paris and Geneva to convince Zionist leaders, the British government and the League to end the economic blockade against Italy (part of the sanctions for Italy’s aggression against Ethiopia). Instead of concluding that Zionists had little influence in international politics, Mussolini came to believe from the failure of Orvieto and Lattes that world Jewry had betrayed him.⁶⁸ Such a conviction demonstrates that Mussolini believed in the power (thus, also in the existence) of the international alliance of world Jewry. This was one of the beliefs he professed

consistently throughout his life. This is why he helped Italian Jews in organizing Jewish institutions in the Mediterranean and helped Zionists in reviving Jewish life in Palestine. He thought it would promote the interests of Italy. However, he turned against Jews and Zionism once and for all in 1936 for the same belief. This new development helped him to overcome his aversion to Hitler. Still, for another two years no antisemitic discrimination was introduced in Italy. Why was antisemitic legislation introduced after the Anschluss and not right after the Berlin-Rome Axis’ establishment in 1936?

The international isolation of Italy following the sanctions of the *League of Nations* due to its aggression against Ethiopia, the engagement in the Spanish Civil War on Franco’s side (July 1936) and the following establishment of the Rome-Berlin Axis (October 1936) created the fundament of the Fascist-Nazi *community of destiny*. It could not turn into a *community of interest* immediately, due to the Italian-German conflict over Central Europe. It was against Italy’s interest to have a Great Germany unified with Austria on its border. In the issue of Austria, Italy did not support the revision of the Versailles Peace Treaty system. Nevertheless, the Anschluss became a *fait accompli* in March 1938. It was time for Mussolini to accept his failure in preventing the establishment of an enlarged German Empire. Soon the Fascist Grand Council of Italy decided to put aside rivalries and prove that Italy was ready to cooperate with the Third Reich as an ally.

patrimonio/archivio_della_camera_regia_1848_1943/are01o/documento/CD0000007126.

68 Ledeen (see note 29) p. 13.

The Italian antisemitic legislation of 1938 is interpreted as a sign given to Hitler for Mussolini's decision to deepen the alliance. However, I argue that it is necessary to add that the Fascist Grand Council's decision to use antisemitism for this function was conceivable because the Duce had turned against the Jews in 1936. At the same time antisemitism fulfilled another essential function for fascism, namely the development of totalitarianism. Francesco Germinario analyzes in detail the spiral that forced Mussolini to shape his dictatorship as antisemitic, because totalitarian regimes need to secure society's support with a vision of fighting an enemy, and constant mobilization can be achieved only if identifying internal enemies.⁶⁹ Fascism from the outset evaluated war and confrontation very positively, but an enemy was needed to revitalize fascist militancy. Jews were just perfect scapegoats to be used for this purpose after the end of the war against Ethiopia, as the only somewhat "Significant Other" (not numerically though, only due to visibility in the intelligentsia and in the elite). Germinario recognizes the function of antisemitism as an amalgam of the German-Italian alliance as well, and in this sense accepts the notion of "Nazification of fascism". Nevertheless he analyzes in detail the differences which Italian racism kept in relation to Nazi race theory.

69 Francesco Germinario, *Fascismo e antisemitismo: progetto razziale e ideologia totalitaria* [Fascism and Antisemitism: Racial Project and Totalitarian Ideology] (Roma-Bari: Laterza, 2009), pp. 58–65.

Italian racism was characterized in the mid-30s by a heated debate between different schools. The so called "*spiritual racism*" represented by Julius Evola won the regime's support. Evola's theory claimed that fascism regenerated the Arian-Roman race which had the mission of realizing the totalitarian revolution. However, race was not only a corporal characteristic, but race was manifested in the spirit as well. Therefore not all Italians belonged to the Arian-Roman race, only those possessing the militant spirituality of fascism.⁷⁰ Jews were excluded by virtue of their "Jewish spirit". Yet "spiritual racism" maintained the possibility of not regarding fascist Jews Jewish for the purposes of antisemitic legislation, thus the institution of "exemptions".

In sum, fascism had the potential to turn antisemitic because of being a dictatorship with aspirations of building up totalitarianism and homogenizing people. The same prejudice, the belief in the existence of an international Jewish lobby, provided the basis of philosemitic and pro-Zionist fascist policies in the "honeymoon period" of fascism and Jewry, but also provided the basis for fascist antisemitism.

While the problem of relations between fascism and antisemitism and the suddenness or not suddenness of introducing antisemitic legislation in 1938 has a voluminous scholarly literature, fascist hospitality towards foreign Jews has so far remained somewhat marginalized. The most comprehensive work on Italian Jewish

70 Ibid., 99–110.

history during fascism by Renzo De Felice refers to the presence of foreign Jews, but it is essentially a history of Italian Jews.⁷¹ Michele Sarfatti's work, although its title suggests that it is a history of Jews in Italy and not a history of Italian Jews, does not engage in narrating the story of those Jews who chose fascist Italy over their home countries.⁷² Sarfatti argues convincingly that fascism violated religious equality from the outset and that the antisemitic wing of the fascist party was never suppressed by Mussolini. However, in his analysis the presence of foreign Jews who benefited from fascist neutrality and even from benevolence between 1923 and 1938 is not taken into consideration. Apart from works specifically engaged in the history of universities, foreign Jewish students are treated as characters of the Jewish history of fascist Italy only in Cristina Bettin's book on Jewish integration in Italy⁷³ and in Onofri's local history on Bologna.⁷⁴

The most significant achievement of fascist Italy in the field of education, the Gentile reform, excellently reflects

fascist ambiguity towards Jews. From an Italian Jewish perspective, it was a calamity, since it brought to an end of secularism in public primary education. Gentile's reform confirmed the return of Catholic influence in schools which had already begun in 1921-22. Mussolini declared as early as 1921 that Catholicism could be used for national expansion and Dario Lupi, Undersecretary of Public Instruction, restored the crucifixes in classrooms in November 1922.⁷⁵ Gentile went further in 1923 and introduced obligatory religious education in schools, which exposed Jewish children to a strong Catholic proselytizing.⁷⁶ At the same time, on the level of higher education, Gentile's innovations did not only not *harm* Jews, but on the contrary, provided foreign Jewish youth (just like non-Jewish foreigners) with favorable circumstances to study at Italian universities. This was especially important for East Central European Jews, since in the very same years Hungary implemented the antisemitic *numerus clausus* law; Polish and Romanian academic sphere were characterized by a widespread obsession with a presumed necessity of a *numerus clausus*; and anti-Jewish violence was on the agenda at German and Austrian universities. It is not to say that Gentile intended to attract specifically Jews to Italy, but that his efforts to internationalize the student body of Italian universities met an existing demand of East Central European Jews for a country where

71 De Felice (see note 63) and the book's later editions as well.

72 Sarfatti (see note 65).

73 Bettin (see note 56).

74 Nazario Sauro Onofri, *Ebrei e fascismo a Bologna [Jews and Fascism in Bologna]* (Crespellano: Editrice Grafica Lavino, 1989). Even if not concentrating on students, Klaus Voigt's monograph on the German Jewish refugees in Italy after 1933, has to be considered a basic work of the topic: Klaus Voigt, *Il rifugio precario: gli esuli in Italia dal 1933 al 1945 [The Precarious Refuge. The Exiles in Italy from 1933 to 1945]* Vols. 1-2. (Firenze: La Nuova Italia, 1996).

75 Sarfatti (see note 65), p. 44.

76 Ledeen (see note 29) p. 4.

they would be allowed to study without facing antisemitic hostility.

Benito Mussolini called the Gentile reform “the most fascist reform”, demonstrating how much it expressed the aim of fascism, namely the transformation of Italy into a great power.⁷⁷ Gentile – similarly to his Hungarian colleague, Kunó Klebelsberg – succeeded in convincing his government that public education is a central vehicle of increasing a state’s power and therefore must be a major concern of politics. Gentile found that there were too many universities and students in Italy and of a too low quality. Therefore he aimed to decrease the number of students and to increase the quality of education.⁷⁸ However, this did not lead to the exclusion of foreigners. On the contrary, there was an effort to allure qualified foreigners in for the sake of expanding Italian influence abroad. Consequently, the Gentile reform was expansionist, it instructed universities to encourage foreigners to apply. Since the other most important characteristic of the reform was authoritarianism resulting in the deprivation of universities from most of their traditional autonomy, Italian

universities applied uniform admission policies.

The first step for the sake of attracting foreign students to fascist Italy was the full tuition waiver for two years, offered to foreigners enrolling in an Italian university in 1923. As Guido Mazzoni, the president of the *Italian Committee for Foreign Jewish Students*, reported in 1925, due to the influx of more than a thousand foreigners, the number of Jewish students in Italy rose to an unprecedented level.⁷⁹ As mentioned earlier, in Hungary the rumor that tuition was for free in Italy was maintained for a long time. This misunderstanding by Lajos Szabolcsi found its way to Hungarian historiography on the *numerus clausus*. Nevertheless, the fact that foreign students enjoyed advantages in Italy is true.

Fascist Italy’s hospitality towards foreign Jewish migrant students can be interpreted as something different from neutrality with regards to ethnic and religious background. Renzo De Felice suggests that already the partial tuition waiver introduced in 1926 was a gesture on the part of Mussolini intended to win the favor of Jews for fascism.⁸⁰ Furthermore, Elisa Signori points out in her fundamental study on foreign Jewish student influx to fascist Italy “*An Academic Peregrination in Contemporary Age: The Foreign Jewish Students at*

77 Giulio Palermo, *L' Università dei baroni [The University of Barons]* (Milano: Edizioni Punto Rosso, 2011.), p. 21.

78 Claudia Farkas, ‘A zsidó iskola fény-sugár.’ *Irányok és zsidóellenesség a fasiszta Olaszország oktatáspolitikájában [‘The Jewish school: trail of light.’ Directions and Hostility towards Jews in the Educational Politics of Fascist Italy]* “Dissertation for habilitation” (Budapest: OR-ZSE Hungarian Jewish Rabbinical Seminary, 2013), p. 14.

79 “A numerus clausus hatodik éve előtt” [Before the sixth year of the *numerus clausus*] (see note 43), p. 2.

80 Renzo De Felice, *Storia degli ebrei italiani sotto il fascismo [History of the Italian Jews Under Fascism]*, Reprint of the amplified edition of 1993 (Torino: Einaudi, 2008), p. 80.

the Italian Universities between the two World Wars”, that the new sending countries of migrant students in the interwar period were Romania, Poland, Hungary, Bulgaria, and the Baltic states.⁸¹ Most of these countries were marked by academic antisemitism. The preponderance of students from these countries (first of all Romania, Poland and Hungary) among foreigners in Italy is especially demonstrable for the 1930s, when the Italian Ministry of Education obliged the universities to include statistical tables about the students in their yearbooks, consequently the background of students became comparable on the basis of the same type of data.

The Fascist Student Unions of each Italian university (Gruppi Universitari Fascisti, abbreviated as GUF) had an essential role in the indoctrination of the students, thus making them fascists. On the other hand, it was a narrow, albeit state-supported field for student initiatives, facilitating the organization of student life. The GUF implemented the political leadership’s will to student life. The involvement of the GUF in integrating the foreign students demonstrates how high a concern this integration was for the regime. Foreign students could enroll in the GUF of their university from 1927. From this year on, they benefited from a number of advantages connected to GUF membership, first of all the right to stay in cheap dormitories (“Casa dello studente”), to attend the student canteens, and the GUF organized

Italian language courses for them on all levels.⁸² Foreign students even had their own representation within the GUF through the national groups headed by trustees.

The GUF of Bologna nurtured the confidence of Jewish students in their future in Italy particularly for its role in the establishment of a kosher canteen in Bologna and for its standing up against German antisemitism in 1935.

Establishing a kosher canteen was initiated by the Zionist Student Union *Techiyah* (“Rebirth”), founded by eighty-nine Jewish students of the University of Bologna in 1934. It should be stressed, that the membership of *Techiyah* was constituted mainly of Polish, Romanian, and German Jewish students, additionally three Hungarians (Elek Hirschler, Imre Klein and Ernő Klein), and only three Italian students joined.

The Bolognese Jewish community’s attitude was ambiguous both towards this association and the idea of the kosher canteen. Although there was an enthusiastic protector of the project inside the community, Vasco Finzi, the community’s president, Attilio Muggia, was against the plan.⁸³

82 Simona Salustri, *La nuova guardia: gli universitari bolognesi tra le due guerre (1919-1943)* [“The New Guard”: The Bolognese Students between the two Wars 1919-1943], (Bologna: CLUEB, 2009), pp. 122–123.

83 Gian Paolo Brizzi, “Bologna, 1938. Il silenzio e la memoria. Le leggi razziali e gli studenti ebrei stranieri dell’Università di Bologna [Bologna, 1938. Silence and Remembrance. The Racial Laws and the Foreign Jewish Students of the University of Bologna]”, in *La cattedra*

81 Signori (see note 40).

Muggia's worries could be strengthened by the police's opposition to the kosher canteen. In the end Muggia informed the president of *Techiyah*, Nachum Kochanowicz, about a positive result, however in a most reserved tone, not suggesting at all that he was happy about it. The Bolognese authorities permitted the functioning of the Zionist student association and of the kosher canteen on the condition that the association would not involve itself in any other activity than Jewish cultural life and that the authorities would be informed about any change in the membership.⁸⁴

At the same time it is worth noting that the police was concerned about controlling *Techiyah*, in the same way as every youth initiative was controlled in this dictatorship, but did not oppose it for anti-Jewish hostility. It is not known whether the suspicion of a link between Jews and subversion came up or not, or whether it was rather a concern of

controlling foreigners and students. However, apparently the GUF's support was sufficient in combating such worries of the authorities.

HUNGARIAN JEWISH STUDENT LIFE IN ITALY

The membership of only three Hungarian students in the Bolognese Zionist student association suggests that Zionism had hardly any followers among them. It is not surprising in the light of the weakness of Zionism in interwar Hungary. In fact, most of the accounts on the ideological outlook of the numerous *clausus* refugees in Italy indicate a vivid Hungarian patriotism, for which they were explicitly praised by the foreign minister in 1926. However, we must remember that most of the accounts are from *Egyenlőség* and from the *Central Student Aid Committee*, thus from the ideological entourage of Lajos Szabolcsi, the major protector of the exiled students. He was vehemently anti-Zionist and a maintainer of the concept of "Hungarians of the Israelite faith". Students expressing their gratitude for the *Student Aid Committee* and writing to *Egyenlőség* framed their thoughts in such a spirit. A nice example of this framing is a memorandum by the *Association of Hungarian Jewish Students Living in Italy* of 1923, published in *Egyenlőség*, which declared that

We are proud of being Hungarians and of being Jewish. We promise to you, that we are striving, and we will keep on striving to prove with our honest thoughts that we are Hungarians,

negata: dal giuramento di fedeltà al fascismo alle leggi razziali nell'Università di Bologna [The Negated Chair. From the Oath of Loyalty to Fascism to the Racial Laws at the University of Bologna], ed. by Domenico Mirri and Stefano Arieti (Bologna: CLUEB, 2002), pp. 57-70 (pp. 63-64).

84 "Lettera di Attilio Muggia a N. Kohanowicz [Letter of Attilio Muggia to N. Kahanowicz]", October 19, 1934, Gruppo Universitario Sionistico Tehijà/ Mensa casher per studenti stranieri/ Corrispondenza, Archivio Storico della Comunità ebraica di Bologna [Archives of the Jewish Community of Bologna]. Although Muggia spelled the name of Kochanowicz "Kananowicz", I opted for the former version in my text because it was spelled in this way in the membership list of *Techiyah*.

*Hungarian patriots, who want to dedicate the knowledge learned at the Western universities, the experience and every noble characteristic and emotion to the altar of the homeland and we will triumph, for the truth is ours.*⁸⁵

However, from some individual memoirs it becomes clear that among the migrant students there were some committed leftists, who did not adhere to Szabolcsi's Hungarian nationalism, at the same time they did not have a strong Jewish self-identification either and were not interested in Zionism, but were committed to universalist ideologies. For instance, Simon Teich, who graduated in medicine in Turin, had to choose Italy, as the cheapest country for studies, since his family stopped financing him due to his social democratic activity, deemed as subversive.⁸⁶ Another doctor, Aladár Hábermann, although finding a job in Hungary with his Viennese medical degree (followed by another degree in Rome and a state exam in Milan), left Hungary for being politically

undesirable.⁸⁷ It is noteworthy that although he was a principled leftist, he was allowed to settle in fascist Italy, where politically suspicious people were under surveillance.

At the same time, there were supporters of fascism among the migrant students. In Padua a student club for the foreign supporters of fascism was established (*Nucleo Universitario Studenti Stranieri Aderenti al Fascismo*) by the Hungarian Jew Imre Lukács. Lukács was even accepted by the Duce in audience in 1928.⁸⁸ Concluding, the political outlook of the numerous clausus exiles was just as varied as that of Italian Jews. In the following, I move the focus to the question how these students lived in Italy.

Lili Fenyő, medical a student in Florence, in her most readable account on the life of numerous clausus refugees in Italy "*Snapshots from the life of Hungarian students abroad*"

85 "Büszkék vagyunk arra, hogy magyarok vagyunk, hogy zsidók vagyunk. Ígérjük nektek, hogy mi igyekszünk és igyekezni fogunk, őszinte gondolkodásunkkal: bebizonyítani majd, hogy mi magyarok vagyunk, magyar hazafiak, akik a nyugati országokban elsajátított tudományt, tapasztalatot, minden nemes tulajdonságot és érzést a magyar haza oltárára ajánljuk és szenteljük és így győzni fogunk, mert miénk az igazság". Elena Jaffe, olasz bujdosók megmentője [Elea Jaffe, savior of the exiles in Italy] (see note 34), pp. 2-3.

86 Teich (see note 7) and attached DVD interview with the author.

87 This is the remark of his daughter, Anna Maria Hábermann, who helped the author of this article with sharing a lot of details, even details above the story of the Hábermann family to which she dedicated several books and a documentary film: Hábermann 2010 (see note 7); Anna Maria Hábermann, Tamás Kieselbach, and Ildikó Tóth, *Tamás könyve [The book of Tamás]* (Budapest: Kieselbach, 2010); Róbert Kollár and Sándor Lázs, *Holtak országa [A country of the dead]*, documentary film, 2011.

88 Emilio Tassi, "Lettera di Emilio Tassi al Capo del Governo [Letter of Emilio Tassi to the Prime Minister]", 1938. September 15, SPD. (Special Secretary of the Duce) CR. (Reserved) 1922-19434. 80R. Busta [Envelope] 143, Fascicolo [File]: 197. Lukács Dott. Emerico, Central State Archives of Rome.

characterized the arrival of the students in Italy in the following colorful way:

One goes to Padua, because a famous medical professor lectures there. The other goes to Florence, because if being forced to go abroad, (s)he prefers Florence, the city of arts. The third chooses Rome. Catania is the choice of the fourth, because it's cheaper there. The fifth rolls the dice on a map. Where does it fall? (S)he will go there. After all, it does not matter. Nobody is expected by anyone, nobody has a destination. We can go anywhere, if there is a university, where it is possible to study. [...] We are not going anywhere. We are only coming from somewhere, where we are banned from studying.⁸⁹

After this sorrowful introduction the author goes on to describe the difficulties of finding their place in Italy with a sense of humor. Her account mirrors the typical phenomena of the migratory student life narrated in numerous articles of *Egyenlőség* as well. She belonged to the students narrating in the spirit of Szabolcsi's entourage, emphasizing both Jewish self-consciousness and Hungarian patriotism.

First of all, the aspect of chain migration is revealed from "Snapshots" which tells the story of three girls who go to study medicine to Florence. At the same time, the author's emphasized intention is reporting on the life Hungarian Jewish students in Italy on behalf of a collective. The

life of the exiles is characterized by a grave homesickness, deficiency of Italian knowledge initially, financial difficulties continuously and strong group solidarity with the compatriots. It turns out as well, that after a short while it becomes obvious to everyone, that virtually all the foreign students are Jewish. Interestingly enough, the patriotic Jewish main characters defend Hungary in conversations where Italians argue for the absurdity of antisemitic Hungarian politics.

The fact that numerous students went to Italy without speaking or understanding Italian, makes the preponderance of medical students among them understandable. According to the *Hungarian Statistical Yearbooks*, seventy-four percent of Hungarian enrollments in Italy were registered at a medical faculty between the academic years 1925-26 and 1937-38.⁹⁰ Italy was a good option first of all for those interested in a medical career. In Hungarian gymnasias it was obligatory to learn Latin for eight years. Thus, high school graduates had a Latin knowledge which helped them in their medical studies and in learning Italian quickly.

The matter of language is one of the few aspects of the exile in Italy in which Italian-Hungarian cultural approaching helped the numerous *clausus* exiles, since it extended the possibilities of learning Italian in Hungary. The teaching of Italian as an elective subject was introduced in numerous high schools in 1924, since the new law about high

89 Fenyő (see note 7).

90 See the volumes of *Hungarian Statistical Yearbooks* between 1926 and 1938.

schools (1924: XI.) obliged scientific gymnasia to teach a modern language, English, French or Italian as an elective subject besides the obligatory Latin and German teaching. The years following the Italian-Hungarian contract of friendship in 1927 saw a further increase in the availability of Italian teaching in Hungary.⁹¹ Thus, the younger Jewish children could choose to study Italian in the Hungarian educational system and follow the pioneers of the early 1920s to Italy with a higher level of preparedness to study in Italian.

The University of Bologna deserves a special emphasis for its primacy regarding Hungarian presence (in the 1930s). The archives of this university preserves the files of students from the fascist period, which contain every document related to the individuals, mostly documents submitted for university administration, including certificates of Hungarian citizenship to receive the partial tuition waiver for foreigners, maturity exam certificates and birth certificates, and usually the student's thesis as well. I reviewed forty-six of the approximately three hundred Hungarian student dossiers of the interwar period, I chose such students whom I found either in the report of consul Pózel, analyzed earlier, or in the sources referring to Hungarian Jewish presence in Italy after 1938, which will be presented later. Thus, I reviewed the dossiers of such students whom I knew to be *numerus clausus exiles*. This is not a representative sample. Therefore I will not draw quantitative conclusions. I will

only outline some of the characteristics almost all of these students shared.

The vast majority of them enrolled in the faculty of medicine, a few of them studied engineering or pharmacy. They did not achieve good grades in their maturity exam (secondary school leaving exam) in Hungary, thus my initial hypothesis that Italian universities grasped the most talented foreign students, thus that the application policy was meritocratic, was not verified. Apparently, only the fact of applicants' being high school graduates was considered, not the grades achieved in the maturity exam. Not even a proof of a good command of Italian was required. Thanks to the partial tuition waiver even children of lower middle class families were able to enroll, for many of the students came from families of artisans in the Hungarian countryside. One of the students, Júlia Fischer, even presented a "certificate of poverty" to the university, issued in Budapest for the purposes of administering her visa.⁹² At the same time, besides the relatively low costs of living Italy was also characterized by a lack of part-time employment for students, therefore they needed to rely on their families' support or on the *Student Aid Committee*.

It was even more so in the case of women. Girls could take on teaching private lessons. But, unlike men, they could not work as porters or waiters.

92 'Fischer Julie. Dossier 6625', Facoltà di medicina [Faculty of Medicine], Fascicoli degli studenti [Students' dossiers], 6625., Archivio Storico dell'Università di Bologna [Archives of the University of Bologna] –Henceforth abbreviated as ASUB.

91 Szlavikovszki (see note 5), pp. 111-112.

Women were underrepresented in Hungarian higher education any way, however it is also true, that families might have been more reluctant to send their daughters abroad to study. For a young girl living alone abroad could lead to compromising situations.

Since birth certificates included the fathers' occupation, it can be seen that all the students reviewed by me were the first generation in their family to study in higher education. The fathers were merchants, commercial agents, and artisans. Thus these young people came from such Jewish families who were eager to achieve social mobility through the education of their children, even despite the *numerus clausus* law. Some students did not succeed in concluding their studies for economic or other reasons,⁹³ and most of those who did, did so after studies at two or three different universities. The career of Miklós Frankl, who started his medical studies in Florence, continued in Pavia and enrolled in Bologna in 1927, where he graduated in 1931, was typical.⁹⁴ At the same time some left Italy

simply because of finally succeeding in sneaking into the Jewish quota in Hungary and enrolling in a Hungarian university. This was the case of Imre Funk and Zsigmond Vámos.⁹⁵

Regarding the overall nature of Hungarian Jewish students' sojourn in Italy one can conclude that the influx of *numerus clausus* refugees in Italy was a chain migration of young people initially not quite aware of where they were going, only escaping Hungarian academic antisemitism. Italy was an appropriate destination for the lack of academic antisemitism and for the relatively low costs, though peregrination was often continued between different Italian university towns due to the different living standards. At the same time the lack of employment possibilities and the reluctance or incapacity of the local Jewish communities led to a situation of constant economic hardship for the students. The sample of forty-six Hungarian Jewish students of Bologna suggests that the lower middle class social background of many students was possibly another reason for the economic hardships, since all the members of this sample came from families of tradesmen and artisans who might have lacked resources to support their children abroad. Despite economic difficulties, the hospitality of the Italian

93 A medical student of Bologna, László Földes, who became a literary character in the novels of his nephew, the writer Pál Bárdos, ceased his studies in Bologna in 1932 and never continued due to his decision to emigrate to America and never to return to Europe. Bárdos Pál, *Az első évtized* [The First Decade] (Budapest: Szépirodalmi Könyvkiadó, 1986); Pál Bárdos, *Frau Földes von Makó*, vol 1, 4 vols (Budapest: Syllabux, 2012). Pál Bárdos was so kind to share with the author some further background information on his uncle and the family.

94 "Frankl Nicola. Dossier 8146", *Facoltà di medicina* [Faculty of Medicine], *Fascicoli degli studenti* [Students' dossiers], 8146, ASUB.

95 "Funk Emerich. Dossier 6659", *Facoltà di medicina* [Faculty of Medicine], *Fascicoli degli studenti* [Students' dossiers], 6659, ASUB.; "Vámos Sigismondo. Dossier 7550", *Facoltà di medicina* [Faculty of Medicine], *Fascicoli degli studenti* [Students' dossiers], 7550, ASUB. (Funk returned to Italy after one year at the University of Budapest though).

population and academics created the reputation of Italy as a receptive, friendly country in Hungary.

THE NUMERUS CLAUSUS REFUGEES IN ITALY AFTER 1938

Although retrospectively one can look at Italian fascism as a regime potentially turning antisemitic, the introduction of antisemitic legislation in 1938 was an unexpected calamity for both Italian and foreign Jews. The first action taken against Jews was the expulsion of foreign Jews from the universities (August), soon followed by the segregation of Italian Jewish students in all levels of education (September). Giuseppe Bottai, Minister of National Education, banned the universities from accepting foreign Jewish applicants on August 6. The new rule generated chaos in academia, its application generated a series of contradictions and questions, as the flow of universities' letters to the Ministry demonstrates.⁹⁶ Not even the most pressing issue to decide, namely what to do with foreign Jews already enrolled in Italy in previous academic years, was solved during the following three months. In this period numerous students left Italy, for instance forty percent of foreign students left

Bologna.⁹⁷ Those who waited long enough, were secured by a decree of November 15 that they were allowed to stay in Italy to finish their studies.⁹⁸ A Hungarian Jewish student, Zoltán Traubkatz, asked permission from the *Special Secretary of the Duce*,⁹⁹ to stay for the remaining eight months until his degree, as early as September 11. He wrote this request also on behalf of two friends, who signed the letter as well, in which Traubkatz declared: "we are three Hungarians, of Israelite religion and of absolutely fascist sentiments".¹⁰⁰

Meanwhile a census of Jews was conducted in August, including foreign Jews. Out of the almost three thousand (2985) Jews who had assumed Italian citizenship later than 1919 (their citizenship was withdrawn in September

96 "Ministero della pubblica istruzione [Ministry of Public Education], Direzione generale istruzione superiore [General Department for Higher Education], Divisione II leggi, regolamenti, statuti, esami, corsi, statistiche, tasse, studenti ecc. [Division II for Legislation, regulations, statutes, exams, courses, statistics, fees, students etc.] 1925-1945", ACS.

97 Roberto Finzi, *L'Università italiana e le leggi antiebraiche [The Italian University and the Anti-Jewish Laws]* (Roma: Editori Riuniti, 1997), p. 52.

98 "Regio Decreto-Legge, 15 novembre 1938, No. 1779 [Royal Decree-Law of November 15, 1938, No. 1779]", *Fondazione CDEC - [Foundation Jewish Contemporary Documentation Center] - Milan*, Access: May 14, 2014. http://www.cdec.it/home2_2.asp?idtesto=589&idtesto1=565&son=1&figlio=558&l-evel=7&stampa=1. (Italian Jewish students were allowed to finish their studies by the racist law of September 5: Royal Decree Law No. 1390 "For the Defense of the Race in the Fascist School"; Finzi (see note 97), p. 40.

99 An institution established to handle special requests which demanded the personal decision of Mussolini.

100 "Traubkatz Zoltán, Arányi János, Magvas László", September 11, 1938, Segreteria Particolare del Duce. [Special Secretary of the Duce] Carteggio riservato 480R [Reserved 480/R] "Ebrei"["Jews"], 1922-43. Busta [Envelope] 144, Fascicolo [File] 345, ACS.

and they were obliged to leave Italy within six months together with all the other foreign Jews),¹⁰¹ six hundred and forty were Hungarian.¹⁰² However, the Ministry of Interior instructed the prefectures to submit a precise list of foreign Jews residing in the respective localities (including non-citizens). Due to this investigation we know for instance that Imre Lukács, the former president of the fascist student club of foreign students in Padua, was living in Pisa as an Italian citizen.¹⁰³

A peculiarity of the Italian anti-Jewish legislation and its application

was the widespread practice of “discrimination”, which was the name of the process through which Jewish individuals were exempted from the scope of anti-Jewish laws for their own or their close relatives’ merits. These merits included the (close relative’s) death, or the individual’s having been wounded or mutilated or decorated for participation in the First World War or in the wars against Libya, Ethiopia or in the Spanish Civil War, or generally for the “fascist cause”, and membership in the fascist party dating before 1922.¹⁰⁴ Nearly one quarter of Italian Jewry qualified for an exemption for one of these reasons.¹⁰⁵ There were Hungarian Jews who turned to the same method, and indeed some of them could claim having fascist merits. The Central State Archives of Rome (Archivio Centrale dello Stato di Roma) preserves a lot of letters that were sent in 1938 to the *Special Secretary of the Duce* requesting exemption. An important feature of this body of sources is that numerous letters were not written by the individual concerned, but by his Italian wife. As mentioned earlier, men constituted the majority of the migrant students, therefore in most of the mixed marriages the husband was a Hungarian Jew and the wife a Catholic Italian (foreign Jews

101 Fausto Coen, *Italiani ed ebrei: come eravamo: le leggi razziali del 1938 [Italians and Jews: This is Who We Were. The Racial Laws of 1938]* (Genova: Marietti, 1988), p. 29.

102 De Felice 2008 (see note 80), p. 8.

103 “Pisa”, Ministero dell’Interno, Direzione generale Pubblica sicurezza, Divisione Affari generali e riservati [Ministry of Interior, General department for public security, Division for general and reserved issues] Busta [Envelope] 14, Fascicolo [File] 61, ACS. The same investigation reveals that seven hundred and twenty-eight foreign Jews were residing in Rome, among them the chief rabbi Izidor Kahan, a Hungarian Jew. “Roma [Rome]”, Ministero dell’Interno, Direzione generale Pubblica sicurezza, Divisione Affari generali e riservati.) László Kovács, Hungarian Jewish doctor is on the list as well, mistakenly labeled as a German. In fact he was an exile of the Hungarian *numerus clausus*, working in Rome as a doctor. Mrs. Göring, Hermann Göring’s sister-in law would be among his patients, therefore Kovács would be saved from the Gestapo in September 1943 by Albert Göring, the infamous Göring’s brother. “A zsidómentő Göring [The Other Göring, Who Saved Jewish Lives]”, in *Népszabadság Online – nol.hu*, published on January 12, 2014. Access: May 14, 2014, http://nol.hu/kulfold/20140111-a_zsidomento_goring-1437193.

104 *Provvedimenti per la difesa della razza italiana [Provisions for the Defense of the Italian Race] -Royal Decree Law of November 17, 1938, No. 1728*, Access: May 14, 2014, <http://www.memorieincammino.it/admin/UploadAllegatiArgomentiArchDoc/0000007/f.Provvedimenti%20per%20la%20difesa%20della%20razza%20italiana%2017%20novembre%201938.pdf>.

105 Wistrich (see note 57), pp. 16-17.

married to Jewish Italians were less likely to rely on the exemption, therefore less likely to write such requests). In all of the cases, the authors understandably overemphasized sympathy for fascism, yet some of them had indeed merits to refer to. Furthermore, in a lot of matters, such as the circumstances for which they left Hungary for Italy and the story of their marriages, we have no reason to doubt the authors' veracity. The very fact of living in mixed marriages with Catholic Italians marks a level of integration, for it presupposes the individual's socializing among local people without relying on the sphere of the Jewish community.

The decision of many couples that it was the woman to write to the Duce's secretary might have also been motivated by the gender roles accepted in Italian society. The letters were often composed in a begging and extremely emotional tone, considered as more convincing than a dry enumeration of arguments, and men were not supposed to beg anyone or display personal sentiments, if not political ones. Women were allowed to argue on an emotional basis, to narrate stories of love and marriage, and rely on Mussolini's mercy for women and children who should be left by their husbands if the decree expelling foreign Jews were implemented. For instance, Miklós Lukács, a doctor, who wrote to the Secretary from Tortora, after declaring that he loved Italians and their Duce and this did not contradict his origin from Hungarian parents of the Jewish faith, he remarked that

he was of fascist sentiments and "got married with a Catholic Italian" in 1937. Thereafter he turned to list the fascist merits of the wife's family, reserving the most persuasive argument, why he should not be expelled, to the end of his letter, namely that his pregnant wife was expected to give birth exactly in the month in which he should leave Italy. The Secretary's response was that "you can stay calm", thus he could stay in Italy with his family.¹⁰⁶

As a comparison, how much different a woman's letter could be, I quote the often mentioned Imre Lukács's wife, Libia Tassi. She did not only mention the husband's and her own fascist sentiments and activities (he founded a fascist student club for foreigners in Padua, she founded a female fascist club in her village), but detailed the profundity of her love and the pain she felt for his expulsion to come. She declared that

I married him for love, with the Pope's dispensation, with a Catholic rite. I have been most happy with my husband because I discovered in him such an inclination for our religion, and a perfect Italian and fascist character. [...] I love him with all the devotion of a young faithful wife in love and the tears

106 "Lettera di Miklós Lukács alla Segreteria Particolare del Duce [Letter of Miklós Lukács to the Special Secretary of the Duce]", September 8, 1938., SPD. [Special Secretary of the Duce] CR. [Reserved] 1922-1943. 80R. Busta [Envelope] 143, Fascicolo [file]: 198. Lukács Dott. Miklós, ACS.

*come to my eyes at the thought of being forced to be separated from him.*¹⁰⁷

She continued by asking for mercy for their two little children who would be raised without a father if her husband were forced to leave the country, or otherwise she, as a wife would be forced to choose between her husband and her homeland. In the end, she even suggested that her husband might not be entirely Jewish, since his father was an illegitimate child. It was indeed a widespread practice of desperate Jews in Italy (and in the Third Reich as well) to prove one of the parents' birth either from an extra-marital relationship or anyway not from the Jewish husband of the mother, for the sake of decreasing the number of Jewish ancestors. To mitigate the humiliation of the family, usually an already passed grandmother was chosen for the false accusation of adultery, so that the grandfather could be declared an unknown, thus possibly Christian, man.

As if the Lukács-Tassi family doubted that Lukács's devotion to fascism was sufficient to achieve his exemption, even his father-in-law wrote a letter to the authorities listing his own fascist merits and arguing that his son-in-law's father was an illegitimate son.¹⁰⁸ Furthermore, Lukács provided an excerpt from his father's birth certificate claiming to be an illegitimate son. This excerpt was issued

in Budapest in 1938 therefore it is quite possibly a falsification of the data of the original birth certificate. In the end, the secretary of the Duce communicated to the Lukács-Tassi family the answer that "you can stay calm".¹⁰⁹

These two examples were not detailed to claim that it was easy to achieve exemption for Hungarian Jews in Italy. They were presented in order to demonstrate that Hungarian Jews once achieving the highest level of integration, marked by the practice of their profession in Italy and by living in mixed marriages with non-Jewish Italians, in some cases as Italian citizens, could successfully use the same methods to achieve exemption as did Italian Jews. Especially, if the individual had already converted to Christianity for the sake of marriage, since the Catholic Church claimed that the state violated the Lateran Concordat with the racial laws which prohibited mixed marriages even with converted Jews.

However, for the majority of the numerous *clausus exiles* the year 1938 marked their re-exile, for the majority was in a more vulnerable situation than the two Lukács doctors, only few were Italian citizens to begin with. Even though those who were still university students could stay to finish their studies, from June 1940 (Italy's entry to the Second World War) they were closed in internment camps as citizens of a country where antisemitic legislation was in vigor (Hungary). Comparing

107 "Lettera di Libia Tassi Lukács", September 15, 1938., SPD. [Special Secretary of the Duce] CR. [Reserved] 1922-1943. 80R. Busta [Envelope] 143, Fascicolo [File]: 197 Lukács Dott. Emerico, ACS.

108 Emilio Tassi (see note 88).

109 SPD. [Special Secretary of the Duce] CR. [Reserved] 1922-1943. 80R. Busta [Envelope] 143, Fascicolo [File]: 197 Lukács Dott. Emerico, ACS.

the database of foreign Jews interned in Italy¹¹⁰ against the prosopography of Hungarian students in interwar Italy,¹¹¹ I found only five Hungarian Jewish inmates who were students or graduates of Italian universities.¹¹²

Noteworthy, that the prosopography does not include every such student. Furthermore, the database of interned foreign Jews includes a lot of mistakes regarding names and sometimes citizenship, for it is about people from most different linguistic backgrounds, which apparently was very difficult to administer for the authorities (additionally, country borders were not always well defined during the war).

In fact, even exemption was often insufficient to save one from the subsequent anti-Jewish persecutions. Exempted Jews could avoid internment which other foreign Jews suffered in Italy between 1940 and 1943. But paradoxically this could result in a worse situation from September 1943 when, following Mussolini's fall, Italy split and the Northern part was occupied by Germans, who established the fascist Republic of Salò. For the remaining two years of the war Jews living in Northern and Central Italy were persecuted by the Gestapo.

Whereas, those closed in detention camps in Southern Italy were set free. In fact, the largest detention camp was in Ferramonti in Tarsia, in Calabria.

The Republic of Salò, the Northern Italian fascist puppet state was under the control of Nazi Germany, for this shadow of the former fascist power owed its very existence to the German army. It was just as loyal to the Nazi empire, as Hungary. Yet the destiny of Jewry would be different in the two states. Although Italian Jewry lived mostly in the Northern and central part of the country, thus exactly in the territory controlled by fascists and Germans for a long time, eighty-five percent of Italian Jews survived the Holocaust.¹¹³ In fact, Italy has one of the highest "survival rates" so to say besides Denmark and Bulgaria. It is very difficult to speak about "survival rates" and at the same time avoid the appearance of downplaying the tragedy of the Holocaust. Yet it is important to ask the question why most Italian Jews survived the two years of German occupation and why the vast majority of Hungarian Jews was murdered in less than one year (from May 1944 to January 1945).¹¹⁴

Here the focus is only on a part of the comparative history of the Republic of Salò and Hungary, these

110 *Indice generale degli ebrei stranieri internati in Italia 1940-1943* [General Index of Interned Foreign Jews in Italy 1940-1943], *Fondazione CDEC - [Foundation Jewish Contemporary Documentation Center] - Milan*, Access: May 15, 2014, <http://www.cdec.it/ebrei%5Fstranieri/>.

111 Szlavikovszki (see note 5), pp. 174-218.

112 Dénes Bálint, András Fenyves, György Grünbaum, Klára Klein, László Münster. However, it is known about the interned Simon Teich as well that he previously graduated in Turin. Teich (see note 7).

113 Susan Zuccotti, *The Italians and the Holocaust. Persecution, Rescue, Survival* (New York: Basic Books, 1987), p. XV.

114 Approximately six hundred thousand Hungarian Jews were victims of the Holocaust, thus every tenth victim was Hungarian. 437 000 of them were deported from Hungary (enlarged by the First and Second Vienna Awards of 1938 and 1940) between May and July 1944.

two allies of Nazi Germany, during the European Holocaust. The survival of some numerous *clausus exiles* in Italy was possible due to options they could choose which were not open to Jews living in Hungary. An essential difference between the two regimes was that in Hungary there had been official antisemitic propaganda led by the state from 1920 on. Thus, a whole generation of Hungarians had been educated and indoctrinated in an antisemitic spirit, which was a *sine qua non* of the Horthy-regime. At the same time antisemitism was not inherent in Italian fascism, although it was developed by fascism in the second half of the 1930s. Since the remaining years of the fascist regime after the legislative antisemitic turn coincided with the chaotic years of the unsuccessful war, the regime did not have enough time to indoctrinate even its own officers, let alone the general population.

Between 1943 and 1945 a civil war was taking place in Italy on top of the world war. On the one hand numerous civilians fell victims, on the other hand the civil war created the possibility to escape from German occupied territories southwards for civilians, Italian soldiers opting for the Badoglio-government and the Allies instead of Mussolini and Hitler, and also for Italian and foreign Jews. The very presence of a strong resistance to the German occupiers provided Jews with the possibility to join the partisans, whereas such an option did not exist in Hungary due to the weakness of the anti-German resistance.

Jews in Northern Italy were often imprisoned after September 1943 and deported. Susan Zuccotti in her groundbreaking work on the history of the Italian Holocaust detailed the factors which made the survival of eighty-five percent of Jews under German occupation possible, which is not to minimize that the German occupiers and Italian fascists were responsible for the deportation and/or murder of 6,800 Jews.¹¹⁵ According to Robert S. Wistrich, chances for a Jew to survive were higher in Italy than in most German occupied countries thanks to a “mixture of administrative corruption, general disorder, casual carelessness, and humanitarian sentiments shown by many Italian officers”.¹¹⁶

I would like to point out that there was also a difference in the policies of the governments between the Republic of Salò and Hungary. An astonishing correspondence of 1944 between the Foreign Ministry of Salò and the Hungarian government, furthermore the inner correspondence of the Italian foreign and interior ministries suggests that the two Nazi-allied governments had different answers to the question of how far the “final solution” should go. It is especially shattering to learn in the light of Hungarian political efforts in the 2010s to downplay Hungarian responsibility for the Hungarian Holocaust, that the Hungarian government in July 1944, thus in the

115 Zuccotti (see note 113), p. XV. In the autumn of 1943 there were 37 100 Italian and 7000 foreign Jews in Italy. *Ibid.* p. XVIII.

116 Wistrich (see note 57), pp. 16-17.

same summer when 437,000 Jews were deported to concentration and death camps, wanted to catch even the few Hungarian Jews still living in Italy. The government required the Italian Foreign Ministry to provide the names of Hungarian Jews living in Italy.¹¹⁷ Later in August the Hungarian government proposed an exchange of Italian and Hungarian Jews between the two states.¹¹⁸ The only reasonably assumable explanation is that Hungarian authorities did not want to simply give up control over the fate of Hungarian Jews who were residing in Italy.

As a consequence of the Hungarian inquiry about Hungarian Jews living in Italy, Italian authorities collected reports from the municipalities to discover who were Hungarian Jews in

the Republic of Salò. However, they did not fulfill the request to exchange these Jews for the even fewer Italian Jews residing in Hungary. If these people had not yet been arrested, there was a reason not to arrest them, since a decree of December 1943 had ordered the arrest of all Jews.¹¹⁹ The reason for which some Jews still dared to live at home, instead of escaping or hiding, must have been the authorities' decision not to regard them as targets of persecution. As the following examples of individual fates demonstrate, what they had in common was their living in a marriage with a non-Jewish Italian, except for one student helped by his Bolognese rector, the notably fascist Ghigi.

The reports concerned listed every Hungarian citizen residing in the given municipality, who was originally Jewish, explaining the specific legal situation of each.¹²⁰ The reports did not fail to list those Jews who had left for unknown destinations in 1943-44 escaping the Gestapo. It is important to point out that not all these municipality reports are preserved, and there were still other Hungarian Jews hiding in Italy or fighting as partisans, about whom the authorities did not know, and this was the reason for their survival. Those who were still not hiding, but living

117 "Telespresso no 31/1301 dal Ministero degli Affari Esteri al Ispettorato generale per la razza, al Ministero dell'interno gabinetto, alla direzione generale Affari politici [Telegraph No. 31/1301 from the Ministry of Foreign Affairs to the General Inspectorate for Race, Interior Ministry, Department for general political affairs]", July 10, 1944, Ministero dell'Interno, Direzione generale per la Pubblica Sicurezza, categoria A 16 sranieri ed ebrei stranieri 1930-1956. [Ministry of Interior, General department for public security, category A16 Foreigners and foreign Jews] Busta [Envelope] 3 – Abbreviation: MI.Dir.gen.publ.sic. A16/B.3., ACS.

118 "Telespresso n. 31/1764 Ministero degli Affari Esteri Direzione generale Affari Generali. Alla Legazione d'Italia a Budapest alla presidenza del consiglio dei ministri, Ministero interno gabinetto, Ministero interno [Telegraph No. 31/1764 Ministry of Foreign Affairs, Department for general foreign affairs to the Italian embassy in Budapest, to the council of ministers, council of the Interior Ministry, Ministry of Interior]", August 21, 1944. MI.Dir.gen.publ.sic.A16/B.3., ACS.

119 Zuccotti (see note 113), p. XVI.

120 These reports are preserved in the Central State Archives in Rome: Ministero dell'Interno, Direzione generale per la Pubblica Sicurezza, categoria A 16 sranieri ed ebrei stranieri 1930-1956. Busta 3 [Ministry of Interior, General department for the public security, category A 16 foreigners and foreign Jews 1930-1956, envelope 3].

in Northern Italian municipalities, were married to Catholic Italians. For instance, the municipality of Turin informed the Ministry that only one Hungarian Jew was residing in Turin, János Füller, a dentist, married to Emma Moreni.¹²¹ At the same time we know from the autobiography of Simon Teich, that he was working in a hospital in Turin under a false name (Tullio Salvi) as a doctor, and after having been reported to the Gestapo, left to the mountains to join the partisans.¹²² Both of them survived the war, as it is proved in a letter by Füller to the University of Bologna in 1946¹²³ and the later fate of Teich, who became a famous plastic surgeon.

As a counter-example for the danger in which foreign Jews without a non-Jewish spouse lived, the case of the engineer Gyula Fogel (mentioned earlier as a student in Pözel's report of 1928) can be cited. The municipality of Padua reported that Fogel had already been arrested by the German Secret Police.¹²⁴ His later destiny is unknown.

György Mátrai, a doctor and a graduate of Padua and Imre Klein, dentist, were still working in their professions in the autumn of 1944 in Forlì, both of them married to a Catholic Italian. Imre Klein was furthermore exempted from the anti-Jewish laws.¹²⁵ In Trieste the Hungarian Jewish dental technician, László Aczél, a graduate of Bologna, was living in a mixed marriage as well and still working in his profession.¹²⁶ In Bologna two Hungarian Jewish doctors (László Bernáth and István Salgó), and a dentist (György Sándor) were working in the autumn of 1944, furthermore one Hungarian Jew was still studying at the university, Gyula Kemény. Bernáth, Salgó and Sándor even had children from their Italian wives, and the children were listed in the report.¹²⁷ At the same time it was noted that Sándor was not considered Jewish, since Italy took into account the Hungarian anti-Jewish law

Directorate of Police, September 5, 1944., MI.Dir.gen.publ.sic.A16/B.3, ACS.

121 *Prefettura repubblicana di Torino al Ministero dell'Interno direz. Gen. Pubbl Sicurezza [Republican Prefecture of Turin to the Ministry of Interior, General Department for Public Security]*, October 27, 1944, MI.Dir.gen.publ.sic.A16/B.3, ACS.

122 Teich (see note 7).

123 "Lettera di Giovanni Füller al rettore [Letter of János Füller to the rector]", October 4, 1946, Facoltà di medicina [Faculty of Medicine], Fascicoli degli studenti [Students' dossiers], 9607 Füller Giovanni, ASUB.

124 *Prefettura repubblicana di Padova al Ministero dell'Interno direzione generale della polizia [Republican Prefecture of Padua to the Ministry of Interior, General*

125 *Prefettura repubblicana di Forlì al Ministero dell'Interno direz. Gen. Pubbl Sicurezza [Republican Prefecture of Forlì to the Ministry of Interior, General Department for Public Security]*, August 12, 1944, MI.Dir.gen.publ.sic.A16/B.3., ACS. (This Imre Klein is not the same person as the Bolognese student who was member of the Zionist Student Union "Techiyah")

126 *Prefettura repubblicana di Trieste al Ministero dell'Interno direzione generale della polizia [Republican Prefecture of Trieste to the Ministry of Interior, General Directorate of Police]*, July 20, 1944., MI.Dir.gen.publ.sic.A16/B.3, ACS.

127 *Prefettura repubblicana di Bologna al Ministero dell'Interno direzione generale della polizia [Republican Prefecture of Bologna to the Ministry of Interior, General Directorate of Police]*, MI.Dir.gen.publ.sic.A16/B.3, ACS.

of 1939 (1939:IV), according to which Jews living in Christian marriages, if converted to Christianity previously to this marriage, were not subjected to this discriminatory law.¹²⁸ In the case of Sándor and Kemény, it is ascertainable that they did survive the war. Sándor lived until his old age in Bologna. He corresponded with the university as late as in 1969 to gain a certificate of his degree for the purposes of administering his pension.¹²⁹ Gyula Kemény lived even in 1971 in Bologna, as his letters to the university reveal. He indeed owed his success in avoiding forced labor service in the Hungarian army in 1942 (which was the fate of Hungarian Jewish men) to the Bolognese rector, Alessandro Ghigi, who wrote a letter to the Hungarian Ministry of Defense that Kemény was enrolled in Bologna and could not cease his studies.¹³⁰ Kemény graduated in July 1942. Nevertheless, Italian authorities did not bother to send him to Hungary later on. In the municipality reports there is also trace of another *numerus clausus* refugee still living in the Republic of Salò in

1944 (in Alessandria),¹³¹ György Ney, an engineer, who was listed in Pözel's report of 1928 as well.

The same paragraph of the Hungarian anti-Jewish law which justified Sándor's exemption was referred to by Rosa De Molli, the Catholic wife of another *numerus clausus* refugee, Aladár Hábermann. She succeeded in convincing Italian authorities to take this paragraph into account in her Hungarian husband's case. Therefore Hábermann could work as a doctor in Busto Arsizio. During the German occupation he and his wife treated and hid partisans. Hábermann gained Italian citizenship in 1951 due to his merits in the anti-fascist resistance.¹³² Gaining Italian citizenship was a great honor, indeed considered as honoring anti-fascist merits. Requests for citizenship by foreigners solely on the basis of the decades spent in Italy were not easily accepted after the war. For instance, György Sándor was not an Italian citizen even in 1964, thirty-one years after his first request (1933), although he lived in Italy from 1927.¹³³

The very fact of the non-deportation of these foreign citizens is significant, since in most countries foreign Jews were the first victims of the Holocaust.¹³⁴

128 1939. évi IV. törvénycikk a zsidók közéleti és gazdasági térfoglalásának korlátozásáról [1939: IV. Law on the restriction of Jews' actions in the public and in the economic sphere], Access: May 16, 2014., <http://www.1000ev.hu/index.php?a=3¶m=8098>.

129 "Fascicolo [Dossier] 8829. Sandor Giorgio", Facoltà di medicina [Faculty of Medicine], Fascicoli degli studenti (Students' dossiers), 8829, Sandor Giorgio, ASUB.

130 "Fascicolo [Dossier] 1262. Kemény Giulio", Facoltà di chimica industriale [Faculty of Industrial Chemistry], Fascicoli degli studenti [Students' dossiers] 1262. Kemény Giulio, ASUB.

131 *Prefettura repubblicana di Alessandria al Ministero dell'Interno direzione generale della polizia [Republican Prefecture of Alessandria to the Ministry of Interior, General Directorate of Police]*, MI.Dir.gen. publ.sic.A16/B.3, ACS.

132 Notice of his daughter, Anna Maria Hábermann.

133 Fascicolo [Dossier] 8829. Sandor Giorgio (see note 129).

134 For instance, from Vichy France during one night 12,800 foreign Jews were rounded up on July 16-17, 1942, out of

Italy did not release foreign Jews to the German authorities before the German occupation, not even German (or former German) citizens. Indeed, fascist Italian Jewish policies remained paradoxical during the war, when Italian Jews could be randomly arrested and Jews abroad (in territories occupied by the Italian army), were occasionally protected by Italian officers against Nazis.¹³⁵

This had to do with a willingness to preserve at least one aspect of policy as independent from the Germans, for the sake of contradicting in something at least. As for foreign Jews living in Italian families, we see that practically they had the same opportunities and chances to avoid persecution as native Jews. Thus, they needed courage, luck and empathetic or neutral neighbors as well, nevertheless their being Catholic or occasionally only being spouses of Catholics did matter a lot. In Hungary, on the contrary, the Christian churches did not succeed in saving most of their members who had a Jewish origin.¹³⁶

These few Hungarian Jewish intellectual refugees continued to live and work in the Republic of Salò, due to authorities' reluctance to extradite them to Hungary or to deport them, because they practically lived as Italians and were integrated in Catholic families.

whom only thirty survived. Zuccotti (see note 113), p. 8.

135 Zuccotti (see note 113).

136 For instance, Christian Jewish men conscripted to labor service had the only advantage to wear a white armband instead of a yellow one. In Hungary there was no authority to have a possibility to exempt people from the anti-Jewish laws' scope, unlike in Italy or in Germany.

Their home country, Hungary was a German ally and would send most of its Jewry to death in the shortest time, in the shadow of an obvious German defeat to come, requesting meager German presence for it. Moreover, the Hungarian Holocaust began earlier than the German occupation. Jewish men were conscripted to forced labor service from Hungary's very entry to the war, instead of military service, thus they were sent to the front without proper equipment.¹³⁷

Thus, male Jewish students returning to Hungary after 1938 were most likely sent to the front as forced laborers. Therefore they had a much lower chance to survive the war than those remaining in Italy. Before surviving the Holocaust, Hungarian Jewish men needed to survive the battles of the Eastern front.

Concluding, numerous Hungarian Jewish intellectual migrants, exiled from Hungary by the numerus clausus law, owed some or all the years of university studies to fascist Italy's receptivity towards foreign Jews. For a few of them, studying in interwar Italy determined their whole life so much that they not only began their career there, but started their families as well. Their in-between situation between their original and their chosen homelands made them live the destiny of Italian Jewry which was characterized by a

137 Deportations began earlier as well, in the summer of 1941 when 16 – 18,000 Jews (of allegedly uncertain or foreign citizenship) were sent to Kamenec-Podolsk and extradited to the German army. Randolph L. Braham, *A magyar holocaust [The Hungarian Holocaust]*, vol 1 (Budapest: Gondolat, 1988), pp. 169–174.

higher chance of survival of the Shoah than the fate of Hungarian Jewry, due to the significance authorities attributed to conversion to Catholicism and to support gained from the general population. The support of Italians for the persecuted Jews was another essential factor which contributed to their survival. This support was due to the fact that by the time of the German occupation of Northern and Central Italy in September 1943 most of the population was tired of fascism, the war, and the German alliance, which increased the willingness to help those victimized by these three evils.

Conclusion

The article investigated a paradoxical story of academic peregrination of the interwar period. For a decade and a half, from the introduction of the Gentile reform (1923) to the introduction of antisemitic legislation (1938), fascist Italy provided a shelter for Hungarian Jewish intellectual refugees (amongst other Jewish exiles of other nationalities) exiled from Hungarian higher education by the Hungarian numerus clausus law (1920).

The fascist country's receptivity even towards Jews is not a paradox *per se*, because Italian fascism was not inherently antisemitic. Yet the destiny of the numerus clausus refugees in Italy was paradoxical. They found a place to fulfill their intellectual aspirations – which were frustrated in Hungary – in an allied country of the Horthy regime. In Italy they often displayed their Hungarian patriotism and their attitudes towards Italian fascism were

just as varied as that of Italian Jews, thus there were supporters of fascism among them. Both Hungary and Italy allied to Nazi Germany. Yet Hungarian Jews who managed to stay in Italy, even if foreign citizens, had more chance to survive the Shoah in the Republic of Salò than their compatriots who had returned to Hungary.

The peregrination towards Italy provoked by the numerus clausus was not a phenomenon of brain drain, since Italian universities were more concerned with internationalizing their student body than with selecting applicants on a meritocratic basis. As my sample of Hungarian Jewish students of the University of Bologna demonstrated, quite bad Hungarian maturity exams were sufficient for a successful application. These students were apparently not predestined to enroll in higher education. They were not the most excellent graduates of Hungarian secondary education; they were Jewish therefore they would have needed to belong to the top six percent of Jewish applicants in order to enroll in a Hungarian university, and they were the first generation in their lower middle class families to go to university. Yet their families made the sacrifice to send them abroad to study (medicine in most cases).

Peregrination could mean leaving Hungary forever, or only temporarily, until fitting in the Jewish quota in a Hungarian university. Leaving Hungary for Italy was not an expression of Jewish dissimulation. Even settling in Italy resulted in the continuation of

assimilation, if not to the Hungarian, then to the Italian social environment, as intermarriage with a non-Jew was a common phenomenon among the numerous *clausus* refugees in Italy. Italy provided more opportunity for Jewish assimilation and for survival during the Shoah than Hungary did.

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ACS= Archivio Centrale dello Stato di Roma
(Central State Archives of Rome)

ASUB=Archivio Storico dell'Università di
Bologna (Archives of the University of
Bologna)

MNL= Magyar Nemzeti Levéltár
(Hungarian National Archives)

MI.Dir.gen.publ.sic.A16/B.3.= Ministero
dell'Interno, Direzione generale per
la Pubblica Sicurezza, categoria A
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1956. (Ministry of Interior, General
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A16 Foreigners and foreign Jews) Busta
(envelope) 3.

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**LIFE AT THE
BORDERS: JOSEF
MÜHLBERGER, JEWS AND
JUDAISM**

LUKÁŠ MOTYČKA

The article deals with the author Josef Mühlberger who is often ranked among the “loose circle of Prague German writers“. He was famous for both his friendship with Max Brod and his public engagement regarding works written by Jewish authors such as Franz Kafka. However, similar to Mühlberger’s political integration in the 1930s this fact is usually overrated. The article analyses the portrayal of Jews in Mühlberger’s short story “Asche” (“Ashes”); it revises the publicly accepted notion of Mühlberger’s philo-Semitism and points toward the ambivalent depiction of Jews in his work, which includes his obscure political views concerning National Socialism and his homosexuality.

I. JOSEF MÜHLBERGER AND JEWS

One of the most discussed chapters in both the private and the artistic biography of the German Bohemian author Josef Mühlberger¹ is his contact

1 * This article was written within the project “Podpora vytváření excelentních výzkumných týmů a intersektorální mobility na Univerzitě Palackého v Olomouci” [Support of Establishment of Excellent Research Teams and Cross-sectional Mobility at Palacký University Olomouc] (ID CZ.1.07/2.3.00/30.0004).

Josef Mühlberger was born in 1903 to a Czech-German family in an East-Bohemian town called Trutnov situated at the language border. He studied German and Slavonic studies in Prague where he was soon introduced to famous Czechoslovakian personalities and their cultural life. Together with Johannes Stauda he published a journal called *Witiko* (1928-1931) and supported publishing of Jewish and Czech authors. His novella *Die Knaben und der Fluß* (1934), which appeared in the renowned Insel Publishing House (Insel-Verlag) was a success, and was positively received by Hermann Hesse, among others. His historical novel *Huss im Konzil* (1931) caused a fierce discussion in the politically and nationally polarized Czechoslovakia. After his detention, interrogation, and imprisonment at the beginning of the 1940s based on sexual provocation, he entered the Wehrmacht voluntarily and spent the WWII at various fronts. In 1946 he left Czechoslovakia under passable conditions and settled down in South

with Jewish authors such as Max Brod or his interest in the work of Jewish authors, for example, Franz Kafka's. Max Brod was Mühlberger's lifelong friend.² In 1927, the young Mühlberger

Germany – in his own words “he was exiled into paradise” [vertrieben in ein Paradies] (Josef Mühlberger, ‘Leben an Grenzen’, in: Josef Mühlberger, *Türkische Novelle. Erzählung*. Bad Wörishofen, 1948, pp.71–79, cited p.78.). Here he worked as a journalist in a local paper as well as a translator and promoter of (not only) Czech literature and culture. However, he failed to pursue his pre-war literary success. After the Second World War his literary works (novels, short stories, poems) and essays (homeland studies, history) were published in many publishing houses. Nevertheless, various awards that he received from institutions for exiled people/Sudeten Germans did not help him to achieve any wider reception. Mühlberger died almost in oblivion in 1985 in Eislingen near Stuttgart. For more about Mühlberger's biography see: Michael Berger, *Josef Mühlberger (1903–1985). Sein Leben und Prosaschaffen bis 1939. Ein Beitrag zur Geschichte der deutschböhmisches Literatur in den 20er und 30er Jahren des 20. Jahrhunderts*. Dissertation (Berlin, 1989), or Susanne Lange-Greve, *Leben an Grenzen. Josef Mühlberger 1903–1985. Eine Veröffentlichung zu seinem 100. Geburtstag* (Schwäbisch Gmünd, 2003).

2 See Susanne Lange-Greve, *Leben an Grenzen. Josef Mühlberger (1903 – 1985). Ein Weggefährte Max Brods. Ausstellung und Begleitbroschüre in Zusammenarbeit mit der Stiftung Literaturforschung in*

asked Brod whether a certain text from Franz Kafka's estate could be published in the *Witiko* journal, which he published together with Johannes Stauda. Brod was excited by the *Witiko* journal,³ which was introduced to him by Mühlberger during his short visit and the older Brod suggested Kafka's fragment *Der Bau* [The Burrow] for publishing.

The publicist-duo considered their ambitious journal to be a liberal forum where political and cultural animosity would be moderated. Kafka's unfinished short story actually appeared in the second issue of the short-lived journal. The beginning of Mühlberger's interest both in Kafka and Jewish literature from Prague, as such, dates back to this time. Henceforth, he devoted himself to Jewish literature (more on this topic in some chapters of his dissertation *Die Dichtung der Sudetendeutschen in den letzten fünfzig Jahren*⁴ [Literary Works of Sudeten Germans of the Last Fifty Years]). The fruit of Mühlberger's Kafka-

Ostwürttemberg und dem Schriftgut-Archiv Ostwürttemberg (Haus der Heimat, 2008); Margarita Pazi, 'Josef Mühlbergers Beziehung zu Max Brod und dem "Prager Kreis"', in Josef Mühlberger. Beiträge des Münchner Kolloquiums ed. by Peter Becher (München: Adalbert Stifter Verein, 1991), pp.55–74.

- 3 Regarding the journal *Witiko*, see Steffen Höhne, 'Josef Mühlbergers (1928–1931) *Witiko* im Kontext böhmischer Ausgleichsversuche', in: *Germanoslavica. Zeitschrift für germano-slawische Studien*, Vol. 20 (2009), Issue 1, pp.39–59.
- 4 See Josef Mühlberger, *Die Dichtung der Sudetendeutschen in den letzten fünfzig Jahren* (Kassel-Wilhelmshöhe: Johannes Stauda Verlag, 1929). Fully revised, the dissertation was published once again in 1981 as: Josef Mühlberger, *Geschichte der deutschen Literatur in Böhmen 1900–1939* (München, Langen Müller, 1981).

research and its influence upon him can be traced in his short story "Der Besuch bei Kafka" [Visiting Kafka], as well as in his essays on Kafka's work.⁵

Mühlberger also maintained his contact with Brod after the Second World War. Brod acknowledged Mühlberger's pre-war engagement with Kafka's work and commented on it as follows: "What you have done for Franz Kafka and the comprehension of his work coming from its deep understanding is truly wonderful."⁶ Furthermore, having grown up at the German-Czech border, Mühlberger endorsed Czech literature. His admiration for Czech works occupied him till the end of his days and encouraged him to give many

- 5 Mühlberger's both literary and essayistic texts regarding Franz Kafka were selected by Susanne Lange-Greve in the compilation *Der Besuch bei Kafka*, see Josef Mühlberger, *Der Besuch bei Kafka. Schriften von Josef Mühlberger zu Franz Kafka 1928–1978*, selection and introduction by Susanne Lange-Greve (Schwäbisch Gmünd: Einhorn-Verlag, 2005). As for critical studies about Mühlberger and Kafka see for example Hans Dieter Zimmermann, "Es ist mehr von einem selbst darin, als man sonst zu sagen wagt." Josef Mühlberger über Franz Kafka', in: *Germanoslavica. Zeitschrift für germano-slawische Studien*, Vol. 20 (2009), Issue 1, pp.69–79.

- 6 Brod's letter to Mühlberger from January 1929 cited by: Zimmermann (see note 5), p.71.

Max Brod mentioned Mühlberger as a member of the broader Prague circle in his book *Der Prager Kreis*, see Max Brod, *Der Prager Kreis* (Kohlhammer, 1982), p.168ff.

"Was Sie für Franz Kafka, das Verständnis seines Werkes aus tiefstem Verstehen hervor tun – ist wirklich wundervoll."

lectures, to write scholarly papers, and to do translations.⁷

His engagement (here only shortly outlined) put the author, in the politically and nationally polarized, hateful atmosphere of the 1930s, in a precarious situation. Josef Mühlberger was seen as a highly suspicious *Judenfreund* (a non-Jew sympathizing with Jews) and an indecisive Sudeten German by the national, racist, or National-Socialist propagators of the culture in the 1930s and 1940s; apart from that he gained dubious fame for recounting homosexual affairs with young men. He was publicly denounced and gradually ostracized from the Sudeten German culture.⁸

The origins of various difficulties in Mühlberger's life can be traced back to these two decades. They were manifested in his dejection regarding both his private (his homosexuality) and public

life (National Socialism). However, this dejection cannot be reliably documented by the egodocuments from the private estate archive (Ostwürttemberg Archive in Heubach-Lautern, run by Reiner Wieland) since the important documents have not been made available to the public, even more than 25 years after the author's death. In contrast to one direction regarding Mühlberger-research, which unbearably glorifies his personality and which injects certain statements (suitable to the relevant political boom) into his texts without any proper analysis,⁹ there have also been isolated voices for a longer time that vilify both his private and political profile.

For example, Ludvík Václavek undermined Mühlberger's political viewpoints and activities, which were often seen as unswervingly unblemished: "However, Mühlberger had no pronounced ideological basis [...], his standpoints regarding national independence often appear to be hazy [and] perplexed; that is, too lenient

7 Mühlberger was engaged in translating and publishing Czech literary works and according to some witnesses he also was an excellent speaker who could hold audiences spellbound. See for example Josef Mühlberger, *Linde und Mohn. 100 Gedichte aus 100 Jahren tschechischer Lyrik* (Nürnberg: Glock und Lutz, 1964); Božena Němcová, *Großmutter. Bilder aus dem ländlichen Leben*, translated by Josef Mühlberger (München: Deutscher Taschenbuch Verlag, 1981, new edition 2005); Jan Neruda, *Kleinseitner Geschichten*, translated by Josef Mühlberger (Bochum: Winkler, 1965).

8 Compare for example public discussion based on the reception of his novel *Huss im Konzil* (1931): See Michael Berger, 'Ein deutscher Hus-Roman und sein Autor im Lichte der tschechischen und deutschen Presse Prags 1931', in: Josef Mühlberger. *Beiträge des Münchner Kolloquiums* ed. by Peter Becher (München: Adalbert Stifter Verein, 1991), pp.18–34.

9 As representatives of this direction compare Frank-Lothar Kroll's or Susanne Lange-Greve's views: Susanne Lange-Greve, *Böhmen, 'das unruhige Herz Europas, hat mich zum Grenzgänger gemacht, aber auch zum Grenzüberschreiter'*, in: *Germanoslavica. Zeitschrift für germano-slawische Studien*, Vol. 20 (2009), Issue 1, pp.25–37; Frank-Lothar Kroll, 'Ein deutscher Dichter aus Böhmen. Josef Mühlberger', in: *Böhmen. Vielfalt und Einheit einer literarischen Provinz* ed. by Frank-Lothar Kroll (Berlin: Duncker & Humblot, 2000), pp.83–93; Frank-Lothar Kroll, 'Josef Mühlberger. Bemerkungen zu Leben und Werk', in: *Josef Mühlberger, Ausgewählte Werke [Selected Works]*, Vol. 1., ed. by Frank-Lothar Kroll (Bonn: Kulturstiftung der deutschen Vertriebenen, 2004), pp.17–28.

towards some nationalistic events which he did not support yet he tolerated them.”¹⁰ This political equivocalness was also documented by Peter Becher; first, when he denounced the egocentric and pragmatic components of Mühlberger’s benevolence regarding the inhuman policy of National Socialists based on his correspondence with the *Insel Publishing House* in the late 1930s, second, when he proved that Mühlberger insisted on publishing in Germany,¹¹ even though, at the time, he himself was considered as a cultural/political *persona non grata*, and despite the resentment towards everything Jewish, leftist, Avant-garde/decadent, and *unvölkisch* that was manifested in violent actions (such as Nazi book burnings, propagandist expositions against degenerate art etc.), i.e. the destructive nature of the regime was henceforth no secret anymore. However, Mühlberger’s anxious political “weaving” is undoubtedly closely linked

with his fear of the public exposure of his homosexuality, which would have caused his public denunciation.¹² Thus, Mühlberger’s biographer Michael Berger observes “that homosexuality had a crucial impact on Mühlberger’s life and fate. [...] His erotic and sexual life [...] took place exclusively in homosexual relationships. This must have led to constant discouragement and endangering situations under the former penal system and conditions, especially since such a ‘forbidden inclination’ could not remain unrevealed in a small town such as Trutnov/Trautenau. This might account for his characteristics, i.e. his despondency and anxious, intentionally ambiguous stances, his inclination to equivocalness; and undoubtedly also his tendency to reality-abstinence for the benefit of aestheticism [...]”¹³

10 Ludvík Václavek, ‘Dílo Josefa Mühlbergera v letech 1925–1936. K dějinám německé literatury na československém území v době mezi světovými válkami’, in: Ludvík E. Václavek, *Stati o německé literaturě vzniklé v českých zemích* (Olomouc: Univerzita Palackého v Olomouci, 1991), pp.202–225 (p.204).

“Mühlberger hatte jedoch keine ausgeprägte ideologische Basis [...], seine Einstellungen zu der Nationalfrage erscheinen nicht selten als nebelig, verlegen, d.h. als allzu sehr nachsichtig einigen nationalistischen Erscheinungen gegenüber, die er nicht unterstützte, jedoch tolerierte.”

11 Peter Becher, “... und ich tat viel zu wenig dagegen...” *Josef Mühlbergers Korrespondenz mit dem Insel-Verlag, 1933–1938*, in: *Josef Mühlberger. Beiträge des Münchner Kolloquiums* ed. by Peter Becher (München: Adalbert Stifter Verein, 1991), pp.35–54.

12 Analogous situations in the history of social-political penalization and discrimination of Jewish people and people in same sex relationships (i.e. homosexuals) as well as the literary reflection of this discrimination have been subject to many scholarly papers. See Hans Mayer, *Der Außenseiter* (Frankfurt/M: Suhrkamp, 1975), Georg L. Mosse, *Nationalism and Sexuality. Middle-Class Morality and Sexual Norms in Modern Europe* (Madison/Wisconsin: The University of Wisconsin Press, 1985), Heinrich Detering’s ‘Juden, Frauen, Literaten. Stigma und Stigma-Bearbeitung in Thomas Manns frühen Essays (1893–1914)’, in: *Thomas Mann und das Judentum. Die Vorträge des Berliner Kolloquiums der Deutschen Thomas-Mann-Gesellschaft* ed. by Manfred Dierks et al (Frankfurt/M: Klostermann, 2004), pp.15–34.

13 Berger (see note 1), p.10. “weiteres Leben und Schicksal entscheidend prägen. [...] erotisch und sexuell war er [...] ausschließlich auf

Josef Mühlberger tried hard to change the perception of his personality in the public sphere after the Second World War and to present himself in a different light. He received rich support from Sudeten German organizations and associations for expelled Germans as a Sudeten German author who was often labelled as a regional writer closely connected with Sudeten Germany, and who seemed to have a clean slate after the Second World War. Therefore, Mühlberger became a suitable representative for them. During the process of the public re-canonisation of this author proclaimed as ‘non-German’ and as ‘pervert’ before the war, many unpleasant details from Mühlberger’s life had to be eliminated; for example, once again, his homosexuality or his inconsequent political views in the 1930s. Naturally, he did not completely internalize this process and remained fully aware of his skeleton in the closet, which is confirmed by many statements of his contemporaries.¹⁴

gleichgeschlechtliche Beziehungen fixiert. Das mußte unter den damaligen strafrechtlichen Verhältnissen zu einer ständigen Verängstigung und realen Gefährdung führen, zumal eine solche ‚verbotene Neigung‘ im kleinstädtischen Trautenau nicht verborgen bleiben konnte. Eben aus jener Veranlagung [...] erklären sich möglicherweise jene Charakterzüge, die sich in einer gewissen Verzagtheit und ängstlich lavierenden Haltung offenbarten; zweifellos auch jene Tendenz zur Wirklichkeitsabstinenz zugunsten eines Ästhetizismus.”

14 “Josef Mühlberger’s aggressive, emotionally loaded tone regarding his reckoning with National Socialism and its consequences after 1945 was remarkable, as if he wanted to put forth his hatred accumulated after many years. His hatred

against what? Against the impudence of the small and big ex-Nazis who could even after 1945 (often undisturbed) take back their former little working positions and stations? It seemed so. Nevertheless, it seemed that his outbursts must have carried another meaning; that while his relentless tirades were well-directed at the vices of that time, they also concerned other, private conflicts. His hatred was like ‘the head of Janus’ [...]. [His] loss lies in the futile endeavour of the young, promising writer to find a compromise between his own ambitious future plans and the ideological directives of the Reich Ministry of Public Enlightenment and Propaganda [...]. He was not able to speak about this certainly painful life period. Had he been able to do so, he would not have had to carry his burden of a legend (whatever it may have been based on) throughout his whole life, that is, to become a political victim of the Nazi-regime as a young writer.”

[Auffallend an Josef Mühlbergers Abrechnen mit dem Nationalsozialismus und seinen Folgen nach 1945 war der aggressive, emotional aufgeladener Ton, der sie begleitete, als wollte er einem in viel Jahren angestauten Hass Bahn brechen. Einem Hass worauf? Auf die Schamlosigkeit der kleinen und großen Ex-Nazis, die nach 1945 meist unbehelligt ihre ehemaligen Pöstchen und Posten wiederbesetzten konnten? Es schien so. Und dennoch ahnte man, dass seine Ausbrüche auch noch eine andere Bedeutung haben mussten; dass seine schonungslosen Tiraden die Missstände zwar beim Namen nannten, dass sie zugleich aber noch andere, eigene Konflikte betrafen. Sein Hass war ein Januskopf [...] [Seine] Niederlage bestand in dem vergeblichen Bemühen des jungen, erfolversprechenden Schriftstellers, einen Kompromiss zu finden zwischen den eigenen, hochgesteckten Zukunftsplänen und den ideologischen Direktiven des Reichsministeriums für Volksaufklärung und Propaganda [...] Über dieses gewiss schmerzliche Kapitel seines Lebens vermochte er nicht zu sprechen. Hätte er es gekonnt, er hätte nicht zeitlebens an der Bürde einer wodurch auch immer entstandenen Legende tragen müssen, nämlich als junger Schriftsteller politisches Opfer des Nazi-Regimes geworden zu

This article demonstrates that Mühlberger's relationship to Jews, and Jewishness in general (especially his portrayal of Jewish characters), was ambivalent: on the one hand, it was interwoven with his sincere interest in Judaism as well as his frank affection for it, on the other hand, also with cultural stereotypes and non-reflective resentments,¹⁵ as well as his inner angst and defensive strategies. Herewith, the aim of the article is inter alia to point out that literary theoreticians should pay more attention to the precise analysis of his texts and documents rather than relying blindly on his autobiographical statements that usually serve the aim of self-promotion.

sein.] (Friedhelm Röttger, 'Mich weht kalt die Zukunft an', in: *Germanoslavica. Zeitschrift für germano-slawische Studien*, Vol. 20 (2009), Issue 1, pp.11–20 (pp.16–17).

- 15 Mühlberger's insufficient or absent reflection of national socialist and völkisch background in his literature based on the reception of other works provides us with a similar situation, as it was the case of his fictional war diary *Die schwarze Perle* (1953) in which Mühlberger unarguably copies Walter Flex' successful novel *Der Wanderer zwischen dem Himmel und der Erde*. However, his approach towards Flex' ideology in the novel is by no means critical (compare Lukáš Motyčka, 'Josef Mühlberger als Leser Walter Flex', in: *Brücken* 21/1-2 (2012), pp.231–244). His camouflaging depiction of the homosexual erotic oscillating between his self-disownment and self-acknowledgement could be classified as this analogy. It also says a lot about Mühlberger's inner ambivalence.

II. THE LITERARY PORTRAYAL OF JEWS IN JOSEF MÜHLBERGER'S WORK

In my opinion, the inconspicuous short story *Asche* [Ashes]¹⁶ from Mühlberger's estate provides us with a lot of information about the author's, in many ways, ambivalent relationship to Jewishness and Judaism. The Christian narrator of this only four-page-long short story retrospectively describes his close friendship with a Jewish boy. The temporal frame sets this emotionally loaded relationship in the period before the Second World War; the story is told in a sonorous, melancholic tone presuming a rather longer time distance between the actual event and the narration time, which might be connected to reconciliation and the overcoming of hurdles. The geographic place of the narration cannot be clearly determined, except for the fact that the story is placed in a town situated in a German cultural milieu in Central Europe. Here, Mühlberger chooses a rare form of narrative: that is, the second person singular, which is typical for the deep engagement of the narrator with the narrated story. The story can be understood both as an "intimate dialogue"¹⁷(30) between the narrator and his deceased friend, as well as a

16 Josef Mühlberger, *Erzählungen aus dem Nachlaß* (Eislingen: Kunstverein Eislingen, n.d.), S. 28-31. Henceforth this publication will be cited in this article.

17 "Zwiegespräch"

threnody.¹⁸ The opening of the story prepares the reader through a direct introduction of character constellation ‘I/me – you’ for a narrative about an intense and intimate friendship: “My first look, when I entered the luxurious and rich yet somewhat gloomy apartment of **your** parents for the first time, focused on a little silver box above the doorframe [...] **You** might have noticed **my** bashfulness [...]” (28, emphasis added).¹⁹ When contextualized with other texts written by Mühlberger,²⁰ this story can be clearly interpreted as a short story with the subject of homoerotic friendship between two adolescent boys. Moreover, when cataloguing Mühlberger’s texts according to the variable forms of homosexual relationships (e.g. the type

of homoerotic character constellations), it can be seen as a story about a homosexual liaison between two boys from ‘feuding camps’.²¹ The depiction of the relationship, quite understandably, lacks any explicit description of physical sensuality; the friendship evolves within a strictly circumscribed frame of platonic emotionality.²² During the process of remembering, the first person narrator focuses on various elements and events, thereby delineating Christian characteristics from Jewish ones. Three pages later, after a dramatic ‘fast forward’ in the narrative, the reader is brought to the present time of the first-

18 More about the genre of threnody for a deceased friend, or the genre of Nänie [a funeral song] that have a firm position in the tradition of homoerotic literature in Gerhard Härle, ‘Jetzt aber gehst du mir aus dem Gesicht’. Klagen um den toten Geliebten’, in: Forum Homosexualität und Literatur ed. by Wolfgang Popp, Gerhard Härle, Marita Keilson-Lauritz, Dirck Linck, and Wolfram Setz, 50/2007, pp. 45–65. Härle also mentions, among others, a unique case of this genre: the lament of a father for his dead children (ibid., p.45ff). This topos can often be found in Mühlberger’s work, for example, in Die schwarze Perle; Der Galgen im Weinberg; Die Tonscherbe, and others.

19 **Mein** erster Blick, als **ich** die vornehme und reiche, aber irgendwie düstere Wohnung **deiner** Eltern zum ersten Male betrat, galt der kleinen silbernen Kapsel über dem Türpfosten [...] **Du** magst **meine** Scheu bemerkt haben [...].

20 On this contextualization in Lukáš Motyčka, Die homoerotische Camouflage im Werk Josef Mühlbergers, Dissertation (Olomouc: Univerzita Palackého v Olomouci, 2010).

21 This constellation (intimate relationship, or erotic sympathy towards the ‘enemy’) is a common subject in Mühlberger’s work; for example, in the short story Der Partisan, or in the novel Bogumil, and others. Thereto compare Lukáš Motyčka, ‘Warum liebt der Verfolger seinen Verfolgten? Zum ‚Konzept‘ der politisch subversiven Gleichgeschlechtlichkeit bei Josef Mühlberger’, in: German Studies Review 34/1, February 2011, pp.109–124.

22 More about the tradition of platonic love in the context of homoerotic literature compare in: Jan Steinhaußen, ‚Aristokraten aus Not‘ und ihre ‚Philosophie der zu hoch hängenden Trauben‘. Nietzsche-Rezeption und literarische Produktion von Homosexuellen in den ersten Jahrzehnten des 20. Jahrhunderts: Thomas Mann, Stefan George, Ernst Bertram, Hugo von Hofmannsthal u.a. (Würzburg: Königshausen & Neumann, 2001); Evelyn Fox Keller, Erkenntnis und sexuelle Liebe bei Plato und Bacon, in: Feministische Studien, 4:1 (1985, Mai), pp.47–56; Ilija Dürhammer, Geheime Botschaften. Homoerotische Subkulturen im Schubert-Kreis, bei Hugo von Hofmannsthal und Thomas Bernhard (Wien u. a.: Böhlau, 2006); Paul Derks, Die Schande der heiligen Päderastie. Homosexualität und Öffentlichkeit in der deutschen Literatur 1750–1850 (Berlin: Verlag rosa Winkel, 1990).

person narrator and takes part in the mourning for his friend who was burnt in the “oven” (30).²³ However, the concrete circumstances of the annihilation of his Jewish friend are neither mentioned nor described. Mühlberger here treats the subject of wartime events and incidents connected with the war (such as SS-terror, Holocaust etc.) in the same way as he processes them in his other texts. He usually diverts from the concrete brutality of incidents during the 1930s and 1940s; they are either sentimentalized, aestheticized, or mythologized (or de-concretized) by means of vague tirades of hatred.²⁴

23 “Feuerofen”

24 Mühlberger’s provoking handling and depiction of the above described topics cannot be discussed in detail in this article because of its word limit. Nevertheless, it should be mentioned that it triggered a passionate debate and controversy; see the review of Bogumil, where Mühlberger’s viewpoint was criticized as follows: “Something like that is published in 1980. It seems to be a regression to the dangerous escapism of the earlier period, that is, to an obscurantist way of thinking which assigns phenomena such as National Socialism to some demonic-metaphysical powers that break into an otherwise orderly and innocent society.” [So etwas wird im Jahre 1980 gedruckt. Es scheint mir einen Rückfall in den gefährlichen Eskapismus früherer Zeiten darzustellen, in ein obskurantistisches Denken, das Erscheinungen wie den Nationalsozialismus irgendwelchen dämonisch-metaphysischen Mächten zuschreibt, die in eine sonst ordentliche und unschuldige Gesellschaft einbrechen.] (Egon Schwarz, Schuldloses Leben, schlimmes Ende. Ein Roman von Josef Mühlberger, in: FAZ, Friday, 24 October, 1980, No. 248, p.26.). On Mühlberger’s depiction of National Socialism, war, homeland etc., which is labelled as highly problematic, compare Lukáš Motyčka, ‘Alles Heimat oder

After the first superficial reading of the short story, given the lack of knowledge regarding other Mühlberger’s texts, it could possibly be (mis)interpreted as a melancholic tale of sorrow. However, the story includes two discourses rich in tradition which undermine the simple, primary interpretation of the tale as a philo-Semitic documentation of historical events and, as such, suggest a different interpretation. In the following, the two literary discourses, i.e. the homoerotic and the anti-Semitic discourse, shall be unveiled in Mühlberger’s short story *Asche*.

The scenery used by Mühlberger to describe the intimate friendship between two adolescent boys belongs entirely to the well-explored inventory of the so called homoerotic camouflage.²⁵ Similar to his other texts, the tale *Asche* is connected with a homoerotic (or just tinged with a homoerotic) character constellation²⁶ that is so typical of Mühlberger’s entire work; i.e. the friendship between two boys. In *Asche* Mühlberger seems to be referring to his famous book *Die Knaben und der*

was? Zum Problem ‚Heimat‘ bei Josef Mühlberger’, in: *Heimat als Chance und Herausforderung. Repräsentationen der verlorenen Heimat* ed. by Carme Bescansa, and Ilse Nagelschmidt (Berlin: Frank & Timme, 2014), pp.207–226.

25 For another important study on the subject of the so called homoerotic camouflage, see Heinrich Detering, *Das offene Geheimnis. Zur literarischen Produktivität eines Tabus von Winckelmann bis zu Thomas Mann* (Göttingen: Wallstein, 2002).

26 See Marita Keilson-Lauritz, *Von der Liebe die Freundschaft heißt. Zur Homoerotik im Werk Stefan Georges* (Berlin: Verlag rosa Winkel, 1987), p.62.

Fluss [The Boys and the River] from 1934 when he once again focuses on the intensive friendship: “We worried about each other when we didn’t see each other for a day [...]” (30).²⁷ Since these intensive relationships between men cannot fully develop in Mühlberger’s work, the story is enriched with social-political components on the surface of the text that function as the main reason for the destruction of the relationship or the death of one of the friends. In *Asche*, the alleged reason for the subconscious renunciation of the socially contested relationship (because of its homosexuality) is the Jewish origins of the beloved friend. Herewith, both groups of outsiders are united. With regards to the motivation for camouflage and Mühlberger’s literary dealing with the Jewish subject, Heinrich Detering’s conclusions concerning Thomas Mann can be smoothly transferred to Mühlberger. Detering points out that Thomas Mann’s suppressed homosexuality had to be taken into account when discussing his “early and henceforth ambivalent stance towards Jews and Jewishness”.²⁸ He

puts emphasis on Mann’s “*identificatory* relationship [to Jewishness]”, which can be deduced from the “commonality between the stigmata”²⁹ and results in a dialectic strategy (concerning text production), which is understood as a “tension between the explicit philo-Semitic negation of the cliché and its *de facto* anti-Semitic recurrence”³⁰ (concerning text reception). While listing differences between Christians and Jews, the narrator from *Asche* only seemingly blurs the borders between them; in fact, he deepens the divide and thereby repeats the old familiar literary stereotypes about Jews. The result is a highly polarized and contrasted way of description. Thus, the family of his Jewish friend is suggested to be a ‘typically’ upper-middle class educated ‘merchant family’ (“distinguished and wealthy”³¹, 28) already in the first sentence. Also, the stereotype of ‘Jewish decadence’ is activated immediately in the depiction of the apartment. The Christian narrator considers it to be “somewhat gloomy”³² (28) and later remarks in a seemingly innocent way: “I was never ill, whilst you sometimes were, and then I sat at your bedside for many hours so as not to leave you alone

27 „Wir hatten umeinander gebangt, wenn wir einander einen Tag nicht gesehen hatten [...]“ (30). Compare for example the defaming review of *Die Knaben und der Fluß* by W. Pleyer who criticises the author especially for this intensity of the relationship: “Waschek’s affection to Jenjik is repulsive – this ‘boy’ cannot spend a single day without the other one [...]” [Widerlich diese Zuneigung Wascheks zu Jenjik – keinen Tag kann der ‘Junge’ ohne den anderen sein [...]] (cited by Becher, “...und ich tat viel zu wenig dagegen...” (see note 11), p.38.

28 Detering, ‘Juden, Frauen, Literaten. Stigma und Stigma-Bearbeitung in

Thomas Manns frühen Essays (1893–1914)’ (see note 12), p.19; “frühe und stets ambivalente Einstellung zu Juden und Judentum”.

29 Ibid., p.21; “identifikatorisches Verhältnis [zum Judentum]”, “verbindenden Aspekt des Stigmas”.

30 Ibid., p.17; “Spannungsverhältnis zwischen explizit philosemitischen Bestreitung des Klischees und seiner *de facto* antisemitischen Wiederholung”.

31 “vornehm[] und reich[]”

32 “irgendwie düster[]”

[...]” (29).³³ Thereupon, the narrator tries to dissipate one of the most widespread stereotypes and lets the Jewish boy take the mezuzah off the wall to show his friend “that there wasn’t a drop of Christian blood in it, as people used to believe” (28)³⁴. This rectification does not lack a certain unintended comic effect with regard to the whole story as well as the narrator’s immediate following memory of his “bewilderment by the fact that your evil spirits were

actually feminine” (28).³⁵ The discourse of misogyny typical of Mühlberger’s work is easily discernible here.

Furthermore, the ‘ecumenical endeavour’ of the narrator in *Asche* is confirmed by the Christian boy’s interest in the writing and religion of his Jewish friend. The careful pedantry regarding the production of the writing and religious practice (“the strict rules”, 28³⁶) is accentuated. Together with the gesture of an interreligious understanding, other stereotypes about Jews are pulled out of the hat. The narrator remembers the name of his friend: “Your parents as admirers of Richard Wagner named you Siegmund.”³⁷ (28) At first, this little detail evokes Wagner’s ambivalent personality, e.g. his open anti-Semitism together with the unscrupulous exploitation of his Jewish friends and colleagues for his own purposes.³⁸ In case the reader is familiar with the function of Richard Wagner’s music in Mühlberger’s work, serving as a metaphor for a rootless and decadent

33 The fact that Jewish people and homosexuals are in various discourses burdened with negative meanings is usually given. Therefore, they used to be publicly stigmatized as ‘witches’ in theological discourse (see Andreas Kraß, ‘Der erotische Dreieck. Homosoziales Begehren in einer mittelalterlichen Novelle’, in: *Queer Denken. Queer Studies* ed. by Andreas Kraß (Frankfurt/M: Suhrkamp, 2003), pp.277–279), in the medical-psychiatric discourse of the 19th and 20th centuries they were often presented as “fragile, close to death, the victims of premature old age” (George L. Mosse, *Nationalism and Sexuality. Middle-Class Morality and Sexual Norms in Modern Europe* (see note 12), p.135), or as nervous and insane. In juridical discourse they were seen as criminals, within the debate about the integrity of a modern man (‘modern crisis of manhood’), defamed as feminine or virility-threatening (see Mosse, *Nationalism and Sexuality. Middle-Class Morality and Sexual Norms in Modern Europe* (see note 12), p.23), and in the sexual-moral or hygienic context, they were denigrated as particularly animalistic, obsessed with sex, and virulent. (see Mosse, *Nationalism and Sexuality. Middle-Class Morality and Sexual Norms in Modern Europe* (see note 12), p.133–152).

“Ich war niemals, du zuweilen krank, und dann saß ich stundenlang an deinem Bett, um dich nicht allein zu lassen [...]”

34 “daß darin, wie so gesprochen wurde, kein Tropfen Christenblut war”

35 “Staunen[], daß eure bösen Geister Geistinnen waren”

36 “die strengen Vorschriften”

37 “Die Eltern hatten dir [...] aus ihrer Begeisterung für Richard Wagner den Namen Siegmund gegeben.”

38 Wagner, as an Anti-Semite, is a research topic causing huge controversy both for scholars and publicists. See Dieter Borchmayer: ‘Richard Wagners Antisemitismus’ (<http://www.bpb.de/apuz/160065/richard-wagners-antisemitismus?p=all>, 28 February 2015), or see television documentaries such as ‘Richard Wagner und die Juden’, broadcast by Arte, 19 May 2014, and others.

world predestined to wither,³⁹ this allusion can be seen rather as an implicit criticism of the decadent Jewishness in terms of Max Nordau and it can be seen – I do not think I am overstressing the interpretation here – as an attempt of dissipating feelings of guilt and responsibility regarding political events from the 1930s and 1940s. The narrator draws the attention to the misplacement

of the name Siegmund and cannot resist commenting on it in a patronizing way: “This name did not seem to suit you and when we were alone, I called you Joshua.” (28)⁴⁰ The portrayal of the Jewish upper-middle class, as a social group destined to disappear, is furthermore intensified: by a detailed description of the social status of the Jewish friend; he is given music classes (see 28), or visits the theatre (see 29). At the same time, Böcklin’s painting called *Isle of the Dead* is hanging in the Jewish apartment and provides the reader with another intertextual reference implying the fatal decadence of Jews.⁴¹ There is one more reference to his own texts signaling the homoerotic substrate that is worth mentioning at this point: Mühlberger uses the motif of ‘seeing each other home’ in *Asche*. This plays a constitutive role in his late novel *Bogumil oder Das unschuldige Leben* [Bogumil or The Innocent Life] (1980) and is heavily loaded with eroticism: “The seeing off after the theatre performances took a long time because, when you were seeing me home, I didn’t want you to go back home alone [...]” (29).⁴² The narrator describes the ecumenically

39 See Mühlberger’s novels *Im Schatten des Schicksals* and *Das Tal der Träume*. Mühlberger’s literary depiction of Richard Wagner also manifests the multiple overlapping of the aforementioned discourses in his often inconsequential worldview. The fact that ‘Richard Wagner’ becomes a concrete metaphor present in homoerotic literature is often emphasized. Jan Steinhaußen explains that “Wagner’s operas were ciphers for the homosexual state of mind. His music did not put the feeling in order but expressed the chaotic aspect of the feeling. Nietzsche and Thomas Mann were moved to tears by Wagner’s music. Their ‘confused’ passions were reflected in his music.” [Wagners Opern waren Chiffren homosexueller Befindlichkeit. Seine Musik ordnete nicht das Gefühl, sondern drückte nur noch das Chaotische des Gefühls aus. Nietzsche und Thomas Mann waren von Wagners Musik zu Tränen gerührt. Ihre ‚verworrenen‘ Leidenschaften spiegelten sich in der Musik.] (Jan Steinhaußen, ‘Aristokraten aus Not’ und ihre ‘Philosophie der zu hoch hängenden Trauben’ (see note 22), p.202.) Mühlberger’s strict defamation of Wagner as a decadent artist as well as his denouncing doubts regarding Wagner’s ambivalent sexuality (“Richard Wagner admitted: ‘I’m drawn to both men and women’, a word rising from his experience” [Richard Wagner hat bekannt: ‘Mich drängt es zu Männern und Frauen’, ein Wort, das aus der Erfahrung stammt.] Josef Mühlberger, *Im Schatten des Schicksals*, pp.74–75), and further also his implicit criticisms regarding Jews who love their ‘judges’ points out once again Mühlberger’s rejection and projection strategies.

40 “Mir schien der Name nicht zu dir zu passen und ich nannte dich, wenn wir allein waren, Joshua.”

41 On the cultural-critical interpretation of Böcklin’s *Isle of the Dead* see Franz Zegler, *Arnold Böcklin. Die Toteninsel. Selbstheroisierung und Abgesang der abendländischen Kultur* (Frankfurt/M: Fischer Taschenbuch Verlag, 1991).

42 “Den [Theater-]Aufführungen folgte das Heimbegleiten, das lange dauerte, weil, wenn du mich heimgebracht hattest, ich dich nicht allein den Weg nach Hause machen lassen wollte [...]”

tinged message concerning their getting to know each other and their tolerance in the following scene. The Christian narrator remembers one of their first meetings: “After I had already accompanied you to the temple and bashfully experienced the pulling of the curtain, the opening of the metal door, and the taking out of the Torah scrolls – you eventually expressed your wish to attend a mass one day – and you meant by that to see me in a white choir shirt with a wide red collar during the mass service.” (29)⁴³ The subversive clarification of the reason why the Jewish friend would like to experience the holy mass (that is, to enjoy the appearance of his beloved friend) borders on heresy and, once more, brings in stereotypes about Jews which accuse them of a hateful attitude towards Christianity. Next to the rather sub-textual and highly delicate message about a possible agreement between the ‘feuding camps’ through emotional-erotic liaisons, the passage provides us with a sceptical picture about the understanding of both the monotheistic religions and cultures. The Christian narrator is allowed to enter the temple without any obstacles. The Jew, on the other hand, has to “hide himself at a certain spot in the choir from where you

can observe everything beneath without being noticed” (29)⁴⁴.

Furthermore, both religions are compared and contrasted with each other using the example of Christmas. The narrator mentions “our song of yearning for the Messiah” (29)⁴⁵ and the Jewish boy – who, from the perspective of the narrator, also experiences a religious elevation (“your face, your praying hands appear in the light bright, clear and beautiful”, 30⁴⁶) – reciting “[his own] prayers in his rough language” (30)⁴⁷. It is hard to decide what the contrasting of both religions is aiming at: whether at their stereotypical distinction - Christianity as a religion of love versus Judaism as a religion of the word; or whether it tries to compare both religions in their relationship to emotions (hence also to eroticism and sexuality). Yet, the attempt to get closer to Jewishness and on the sub-textual level closer to the friend are undermined by an insistent usage of concepts which underline the division between the ‘other’ and ‘one’s own’. Thus, borders are rather created than removed. “I wasn’t a bystander; the *strange* and *unusual* filled me with ancient dread and this dread was mixed with happiness because I could see you in the glare of the light, far away *in the*

43 “Schließlich sagtest du, nachdem ich dich schon in den Tempel begleitet und mit Scheu das Zurückschlagen des Vorhangs, das Öffnen der erzernen Tür, das Hervorholen der Thora-Rollen erlebt hatte – sagtest mir den Wunsch, du möchtest einmal eine Messe sehen – und du meinstest doch, mich im weißen Chorhemd mit dem breiten roten Kragen bei meinem Meßdienst zu sehen.”

44 “einer Stelle auf dem Chor [verstecken], von dem du alles betrachten konntest, ohne selber gesehen zu werden.”

45 “unser Sehnsuchtslied nach dem Messias”

46 “tauchen mir dein Gesicht, deine betend ausgebreiteten Hände aus dem Schein auf, hell, klar, schön”

47 “in der herben Sprache [die eigenen] Gebete”

distant past but, even so, in an ineffable way, much closer than ever.” (30)⁴⁸ At the end of this *Nenia*, Mühlberger uses a dramatic means of fast motion through which the happy life together transforms into the catastrophe of the Holocaust: “The dreadful feeling became terror. When I recall you in my memories – reminisce about you, since you are dead. [...] Ashes – I can smell them, I can taste them.” (30)⁴⁹

III. CONCLUSION

In conclusion we might assume that the two discourses, i.e. the anti-Semitic discourse and discourse about homosexuality with their rich traditions, fundamentally problematize and differentiate the seemingly simple short story *Asche*, as well as, indirectly, Mühlberger’s position towards Judaism. Mühlberger’s attitude of downplaying the actual problems by considering everybody a victim, including murderers and bystanders that were described as “victims of illusions”,⁵⁰ became

a thorn in the side of some leftist authors after the Second World War. As early as 1952, Louis Fürnberg stated that “Josef Mühlberger, the author of the [prestigious] Insel Publishing House and his newest [politically] inflammatory books” prove how “he [Mühlberger] converted from a gentle poet into a militarist who courageously crusades against the East with his pen”.⁵¹ By contrasting the portrayal of political events on the surface of the text with the camouflaged contents of the subtext, this article intended to show that the literary depiction of Mühlberger’s worldview is at the intersection of various discourses. Mühlberger cannot be seen as an upright antagonist of the *völkisch*, national, or National Socialist ideas – as he was perceived and depicted by the editor of his *Ausgewählte Werke* [Selected Works] Frank-Lothar Kroll: “[...] a detailed examination of Mühlberger’s works would have revealed a writer who, more than anybody else, raised the idea of mediation, reconciliation, and friendship between Germans and Czechs to the main aim of his multi-

48 “Ich war dabei nicht Zuschauer, das Fremde und Ungewöhnliche erfüllte mich mit uraltem Schauer, und in den Schauer mischte sich das Glück, dich im Glanz der Lichter zu sehen, in eine ferne Vorzeit entrückt, aber gerade so in einer unaussprechlichen Weise näher als je.”

49 “Der Schauer wurde zum Schauer, wenn ich mich deiner erinnere – deiner gedenke, da du tot bist. [...] Asche – ich rieche sie, ich schmecke sie.”

50 Cornelia Fritsch/Wynfrid Kriegleder, “Ich werde Ihnen sagen, was Nationalismus ist. Ein Wahnsinn, eine Krätze, eine ansteckende Krankheit, eine Epidemie...” *Der Nationalsozialismus und seine Folgen im Werk Josef Mühlbergers*, in: *Josef Mühlberger. Beiträge des Münchner Kolloquiums*, ed. by Peter Becher, pp.75–87 (p.78).

“Opfer der Illusionen”

51 Cited by Michael Berger, ‘Von Bescheidwissenschaft und Halbwissen. Ein Nachtrag zur neuerlichen Wiederentdeckung eines Schriftstellers’, in: *Brücken nach Prag, Deutschsprachige Literatur im kulturellen Kontext der Donaumonarchie und der Tschechoslowakei* ed. by Klaas-Hinrich Ehlers et al (Wien: Lang, 2000), pp.395–418 (p.396).

“die neuesten Hetzbücher des Insel-Verlag-Autors Josef Mühlberger“ bezeugten, wie „sich [Mühlberger] von einem sanften Lyriker zu einem Militaristen entwickelt [habe], der auf dem Federhalter mutig gen Osten reitet“

layered literary activity, consisting of more than seventy books. Mühlberger *almost stubbornly* incorporated this idea in all phases of his literary development, *resisting all political changes and turning points*. Eventually, this intense stubbornness assigned him the painful experience of a lonely outsider in the ever prevailing literary scene.”⁵²

On the other hand, Fürnberg’s perception, which presents Mühlberger as a mummified militarist and National Socialist, should also be put into perspective. The inflationary use of metaphors regarding border, border crossing, and overcoming of borders, which Mühlberger related to himself in a self-promoting gesture and which are henceforth cherished by some Mühlberger-scholars, should be critically re-assessed. In my opinion, the rather simplified depiction of Mühlberger’s border-crossing requires

a thorough revision based on exact textual and contextual analyses that do not advocate actual political needs. By doing so, it could finally be specified on which limits his life bordered.

52 Frank-Lothar Kroll, *Josef Mühlberger. Bemerkungen zu Leben und Werk* (see note 9) p.17–18. Highlighted by Lukáš Motyčka.

“Dabei hätte eine genauere Auseinandersetzung mit Mühlbergers Schaffen einem Schriftsteller gegolten, der kaum wie ein anderer den Gedanken der Vermittlung, Aussöhnung und Freundschaft zwischen Deutschen und Tschechen zum Hauptanliegen seiner vielfältig differenzierten, in über 70 selbstständigen Buchveröffentlichungen ausgebreiteten literarischen Tätigkeit erhob. Mühlberger hat dieses Anliegen in allen Phasen seiner dichterischen Entwicklung verfochten, unbeirrt von politischen Wandlungen und Brüchen und mit einer geradezu hartnäckigen Konsequenz, deren Intensität ihm bis zuletzt die schmerzlich erfahrene Rolle eines einsamen Außenseiters im jeweils vorherrschenden zeitgenössischen Literaturbetrieb zuwies.”

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**BASIC LAWS OF THE
STATE OF ISRAEL:
CONTROVERSIES,
CONFLICTS AND
POLITICS BEHIND THE
CONSTITUTIONAL
SYSTEM OF ISRAEL**

SÁRA VALACHOVÁ

This article focuses on the constitutional system of Israel with an emphasis on the historical background surrounding the adoption of Basic Laws. First, it briefly explains the situation in which the new state was established with regard to specific law systems that have influenced the current Israeli legal system. Secondly, it deals with the conflicts between religious and secular groups that have been affected, as well as the constitutional creation of the State of Israel until today. It highlights the fact that these conflicts and collisions have shaped the constitutional system and will continue to affect it in the future.

When David Ben Gurion declared the “*the establishment of a Jewish state in Eretz-Israel, to be known as the State of Israel*“ on the 14th of May 1948 in Tel Aviv, he started a new chapter, not only in the history of the Jewish nation, but also in the history of a geographical area which is central to one of the most persistent international conflicts. The new state has faced many challenges due to its specific geopolitical and historical position, which has been reflected in its constitutional setting.

In this paper, the constitutional setting of the State of Israel will be analyzed with an emphasis on the background conflicts that shaped its historic constitutional development. More than a half century after its establishment, Israel has no formal constitution and instead has adopted a series of Basic Laws. The specific legal system of Israel has been influenced by many factors, including the reception of laws from previous rulers over the area, political ambitions of Israeli leaders and conflicts between religious and secular groups. The adoption of the Basic Laws, which have served as a constitutional basis for the State of Israel throughout the years of Israel’s existence, has been further influenced by the changing

social and political circumstances, as well as the evolving role of Israeli Supreme Court.

ESTABLISHMENT OF THE STATE OF ISRAEL

The key document setting up the background for the establishment of a new state was *Resolution 181*, passed by the General Assembly of the United Nations in November 1947. It stipulated conditions under which two states were to be established in the area of former the British Mandate of the Palestine – the Jewish state and the Arab state. The UN required the two future states, in addition to other conditions, to adopt a democratic constitution and resume their position among other democracies in the post-World War II world. Both states were to elect a constituent assembly which would pass a constitution meeting the necessary prerequisites set up by the UN.¹

Israeli leaders respected the Resolution and promised to adopt such constitution on a rather short term² by

1 UN Resolution 181 (II). Future government of Palestine. A/RES/181(II). 29 November 1947.

2 Gideon Gordon, Arye Naor, Assaf Meydani, *Law and Government in Israel*

including the following provision when drafting *the Declaration of Establishment*: “Constitution which shall be adopted by the Elected Constituent Assembly not later than the 1st October 1948.”³ (Declaration of Establishment)

However, when looking at the legal order of the State of Israel, we can easily see that no statute called Constitution has ever been passed. More than 60 years after the promise of the Declaration, Israel still does not have a formal written constitution. The division of powers, basic human rights, powers of the Army, and other key issues of a modern democratic state are instead regulated in a series of laws called Basic Laws. This compilation of laws has been adopted throughout the history of the State of Israel, the latest being the novelization of Basic Law: Government from March 2001. The current list of Basic Laws is: *Basic Law: The Knesset* (1958), *Basic Law: Israel Lands* (1960), *Basic Law: The People’s Lands* (1960), *Basic Law: The President of the State* (1964), *Basic Law: The State Economy* (1975), *Basic Law: The Army* (76), *Basic Law: Jerusalem, the Capital of Israel* (1980), *Basic Law: The Judiciary* (1984), *Basic Law: The State Comptroller* (1988), *Basic Law: Human Dignity and Liberty* (1992), *Basic Law: Freedom of Occupation* (1994), and *Basic Law: The Government* (2001).⁴

(Oxon: Taylor & Francis, 2010), p. 7.

3 Declaration of Establishment of the State of Israel, 14th May 1948

4 The complete list of the valid Basic Laws can be found on the website of the Knesset, http://www.knesset.gov.il/description/eng/eng_mimshal_yesod1.htm.

The reasons for this development were complex but the key missing piece was a lack of a political will from the early political leaders of the newly established State. The Declaration of Establishment was drafted and declared by the Provisional State Council, which also assumed a temporary role of a legislative body. By January 1949, already several months after the promised date of 1st October 1948, the Provisional State Council adopted a decision to dissolve itself as soon as the Constituent Assembly was elected in general elections.⁵ The first Israeli elections, postponed due to a war in which a vast part of Israel’s population participated, were set up with a single aim – to choose representatives that would draft and adopt the Constitution. This fact was well reflected in the election campaigns of the candidates who focused mainly on their propositions for a future constitution.⁶

David Ben Gurion’s party, *Mapai*, gained a majority in these historical elections and had a decisive say on the future of Israel’s legal system. It was David Ben Gurion who, in fact, read the Declaration of Establishment on the radio and yet, not even two years afterwards, seemed to forget that he

5 The Transition to a Constituent Assembly Ordinance, 13th January 1949

6 Rivka Weill, “Reconciling Parliamentary Sovereignty and Judicial Review: On the Theoretical and Historical Origins of the Israeli Override Power”, in *Hastings Constitutional Law Quarterly* 39.2 (2011), p. 465; a documentation of the election campaign is accessible at http://web.nli.org.il/sites/NLI/English/collections/treasures/elections/all_elections/Pages/e1949.aspx

had promised, and failed, to adopt a formal constitution even though he was politically strong enough to do so. On the contrary, his reluctance to draft and pass a working constitution has been viewed as a direct result of his political strength. With his majority in the Constituent Assembly⁷ he was not willing to strand himself and elected politicians by a piece of paper.⁸ His official reasons were, however, different. He raised the valid point that there was only a minority presence of world Jewry in the newly established Jewish State. Ben Gurion mentioned that he did not wish to adopt a binding constitution without an involvement, through election, of a majority of Jews.⁹ More importantly, he was afraid of the new state losing its momentum as he believed that the new constitution would give too much power to the minorities and the government would lose the ability to act swiftly. And above all, Ben Gurion feared that differences between religious and secular groups could threaten the very nature of the new State and would possibly destroy it by constant fighting.¹⁰

7 The results of 1949 elections allowed Ben Gurion to form a coalition government with a majority of 73 out of 120 members. Dieter Nohlen, Florian Grotz, Christof Hartmann, ed, *Elections in Asia and the Pacific: data handbook* (Oxford: Oxford University Press, 2001).

8 Gordon (see note 1), p. 8, Weill (see note 6), p. 466.

9 <http://www.jewishvirtuallibrary.org/jsource/Judaism/jewpop.html>

10 Joshua Segev, "Who Needs a Constitution? In Defense of the Non-decision Constitution-making Tactic in Israel", in *Albany Law Review*, 70 (2007), p. 420.

The Constituent Assembly therefore chose to take a different route. In February 1949, less than a month after the general elections, the representatives passed the *Transition Law*¹¹ in which they transformed themselves into a legislative assembly – the First Knesset. The role of the Knesset was legislative as well as constituent not only to pass regular laws enabling the country to function but also to eventually adopt the postponed constitution.

To show its willingness to meet the conditions set in the UN Resolution 181, the Knesset decided to pass the so called *Harari Decision* named after a Knesset member Yizhar Harari. Through this act, the Knesset set up a Commission whose single task was to draft the Constitution. In the meantime, the Commission along with other parliamentary bodies was supposed to propose the above mentioned Basic Laws, which at that time did not enjoy any special mode of majority different from other laws, allowing the State to function on a democratic basis. Later, these Basic Laws were supposed to be compiled in a single constitutional document. Needless to say, that is yet to happen.

The Decision Harari was a political compromise and even that was difficult to carry out. In fact, some legal scholars call it "decision not to decide".¹² Some of the key issues had to wait for decades to be regulated through a Basic Law and for almost every single one, a political battle

11 The Transition to a Constituent Assembly Ordinance, 13th January 1949.

12 Segev (see note 10), p. 430.

had to be fought first. Some of the basic issues of constitutional character are part of normal laws and do not possess a constitutional authority manifested by special entrenchment,¹³ e.g. *Women's Equal Rights Law* of 1951 or *The Law of Return of 1950*. Nevertheless, they form a part of the material constitution which must be distinguished from a constitution in the formal sense – a document called 'constitution.' While Israel has in fact failed to adopt a formal constitution, one cannot argue that it does not have a material constitution.

Approximately 40 years after the establishment of the new State of Israel, the Knesset adopted after a lot of debates and delays two Basic Laws, *Basic Law: Human Dignity and Liberty* (1992), and *Basic Law: Freedom of Occupation* (1994), which according to some caused a "Constitutional Revolution" and resulted in the pronouncement of a formal constitution by the Supreme Court in a ground-breaking decision *United Mizrahi Bank vs. Migdal Cooperative Village*.¹⁴ In this decision the Supreme Court cemented the process of Constitutional Revolution by declaring the power of constitutional review and normative superiority of *Basic Law: Human Dignity and Liberty*.¹⁵

1. COLLISION OF VARIOUS LEGAL ORDERS

As much as Israel is a mix of various cultures, religions and origins, it is

also a mix of various legal orders which the State inherited from its previous rulers. Shortly after the establishment of the State of Israel, the *Law and Administration Ordinance of 1948* was adopted by the Provisional State Council which, in accordance with the principle of continuity, stated that "[t]he law which existed in Palestine on the 5th Iyar 5708 (14th May 1948) shall remain in force, insofar as there is nothing therein repugnant to this Ordinance or to the other laws which may be enacted by or on behalf of the Provisional Council of State, and subject to such modifications as may result from the establishment of the State and its authorities".¹⁶ Previously, after Britain had taken over the rule of this territory from the Ottoman Empire, it also proclaimed in 1921 that the majority of Ottoman law will stay in force.¹⁷ Israel thus inherited a law that had been previously enforced by the two former authorities – British and Ottoman.

Ottoman law itself was composed by a numerous set of rules and its codes were based on different legal orders. Islamic law played a major role but it was accompanied by French law through the reception of Code Napoleon. The questions of personal status and religious issues were decided under the principle of personality of

¹³ Weill (see note 6), p. 471.

¹⁴ CA 6821/93 *United Mizrahi Bank v. Migdal Cooperative Village* (1995)

¹⁵ Segev (see note 10), p. 462.

¹⁶ *Law and Administration Ordinance of 1948*.

¹⁷ *Palestine Order in Council of 1921, Art. 46*; Menachem Elon, *Jewish Law: history, sources, principles* (Philadelphia: The Jewish Publication Society, 1994), p. 1611, for more details see Robert Eisenman, *Islamic Law in Palestine and Israel* (Leiden: E. J. Brill, 1976).

law which brought into the Ottoman Empire aspects of various other legal orders. Namely, in the area of the State of Israel, it was the Jewish law decided upon by the Jewish courts and Islamic law with Islamic courts. Other religious groups had their own courts ruling according to their own religious laws. The British authority adopted all these concepts and, moreover, it introduced the common law and equity.¹⁸

Individual branches of law (e.g. criminal law, commercial law) were based on different legal orders and even concepts within these branches had different backgrounds (including the language differences).¹⁹ The formal connection with English common law was broken only after more than 30 years of Israel's independence, in the year 1980.²⁰ Justice Silberg²¹ compared the state of law in which Israel was being established to “*a mosaic, destined perhaps to excite the eyes of an archaeologist, but not able to serve as a firm basis for healthy and normal legal relations*“.²²

We can easily see that when compared to the situation of new states in Europe or elsewhere, Israel was given a mix of numerous legal orders with which it was supposed to build its own Israeli system. Trying to fill the holes in its legal system, Israel

turned to German and Italian codes to help write new Israeli legislation.²³ However, despite the number of civil law concepts embedded through this reception in the Israeli legal system, Israel cannot be accepted as a civil law country. It is the Knesset who enacts new legislations which serve as the main source of law under the doctrine of parliamentary sovereignty (see below); judges treat these acts similarly to their English colleagues. They interpret them creatively and try to fill in the gaps. Precedents form a crucial role in the Israeli legal system and the doctrine of *stare decisis* is followed giving a major importance to the decisions made by the Supreme Court.²⁴ Judges even formulate their rulings after the English common law examples.²⁵

2. ENGLISH AND AMERICAN SYSTEM

Newly established states usually take as a model the United States of America and its Constitution. Constituent assemblies of new states would adopt fundamental laws usually called constitutions and the written law would be accompanied by traditions and the interpretation by constitutional courts. On the other hand, Great Britain stands as a model for states without a written constitution where the central role is given to the legislative assembly in accordance

18 Ginossar, S. “Israel Law: Components and Trends”, in *Israel Law Review* 1.3 (1966), p. 384.

19 Elon (see note 17), p. 1611.

20 Eliezer Rivlin, “Israel as a Mixed Jurisdiction”, *McGill Law Journal* 57.4 (2012), p. 782.

21 Former Deputy President of the *Israel Supreme Court* (1900-1975)

22 Elon (see note 17), p. 1612.

23 Further information can be found e.g. in Kurt Siehr and Reinhard Zimmermann, ed., *The Draft Civil Code for Israel in Comparative Perspective* (Tübingen: Mohr, 2008).

24 The Supreme Court, http://knesset.gov.il/lexicon/eng/upper_crt_eng.htm.

25 Rivlin (see note 20), p. 783.

with the doctrine of parliamentary sovereignty²⁶ and “unqualified supremacy of the legislature”.²⁷

The early leaders of the State of Israel had disparate perceptions of the ideal model of Israel’s constitutionality based, to a large extent, on their political ambitions. The member of the Knesset and the leader of the opposition, Menachem Begin, supported the American model that would give Israel a written constitution and limit the powers of the parliament. On the other side stood David Ben Gurion, leading the ruling *Mapai* party who opposed the adoption of a constitution. Apart from the arguments mentioned above, his main political reason was an effort to retain his current powers. By not adopting a constitution, his majority in Knesset would have a free hand.

Ben Gurion avoided adopting a formal constitution for fears of limiting the elected politicians in the Knesset. He, and a group of like-minded politicians, believed that the Harari Resolution signified the adoption of the British constitutional model of parliament sovereignty – “in the form of an unqualified majority rule”.²⁸ Even limitations originating in the Knesset itself had no validity because the present Knesset could not bind its successors.²⁹ Other politicians saw the resolution as

a gradual process towards the American constitutional model.

Moreover, many of the judges, lawyers and other educated jurists chosen by the state oriented themselves toward Britain, as the majority of them studied there, were familiar with the system and the precedents and used the rulings of English courts to support their decisions.³⁰ Israel thus chose to go the British way and it is accurate to describe the Israeli constitutional set up until the 1990’s as a parliamentary sovereignty. During the 1990’s, the system received the first blow when the Supreme Court decided the *Bergman*³¹ case and declared a law passed by the Knesset null and void for its conflict with the *Basic Law: Knesset*, thereby challenging the rules of parliamentary sovereignty. The Supreme Court ruled similarly three more times after this precedent.³² The scholar Rivka Weill identified this era as critical in her essay *Reconciling Parliamentary Sovereignty and Judicial Review*³³ and considers the 1990’s as the time when Israel’s constitutional system started swinging towards the American model.

In 1995, the Supreme Court of Israel ruled again a law invalid for its conflict with a Basic Law in the case

26 Daniel J. Elazar, “The Constitution of the State of Israel” in *Jerusalem Center for Public Affairs* (April 2013). Accessible at <http://jcpa.org/dje/articles/const-intro-93.htm>.

27 Segev (see note 10), p. 431.

28 Segev (see note 10), p. 426.

29 Ibid.

30 Weill (see note 6), p. 464.

31 HCJ 98/69 Bergman v. Minister of Finance and State Comptroller (1969).

32 Anne Jussiaume, “La Coursuprême et la Constitution en Israël: Entre activisme et prudence judiciaire” in *Jus Politicum* (April 2013). Accessible at <http://www.juspoliticum.com/La-Cour-supreme-et-la-Constitution.html>.

33 Weill (see note 6).

United Mizrahi Bank.³⁴ In this decision, the Court stated that it perceived the Basic Laws as a constitution of Israel and had the right for a judicial review of an ordinary, non-constitutional, legislation. The Court stipulated that in the future, the Knesset could change the existing Basic Laws only by adopting another Basic Law; by doing so it made a distinction between Basic Laws and non-constitutional laws. The Supreme Court showed in this decision an attempt to shift the Israeli constitutional system towards a constitutional regime accompanied by the American model of judicial review.³⁵ It needs to be pointed out that this decision has been broadly disputed and does not represent the majority opinion of the judiciary and jurists, most of whom would not agree with the attempted shift and would argue that the doctrine of parliamentary sovereignty remained intact.³⁶

3. SECULAR AND RELIGIOUS GROUPS

The clash between secular and religious groups was already mentioned when discussing Ben Gurion's motives for abandoning the idea of a formal constitution. He was afraid of a cultural fight that would mark such disputes would define the Israeli legal system and potentially destabilize the new and fragile state.³⁷ The question of religion marked not only the very beginning of

the Israeli constitutional history but is intertwined with the next decades of adopting Basic Laws as well as regular legislature. It is central to the identity of Israel as a Jewish state and cannot be separated from the discussion about the Israeli constitutional system. Moreover, Israel is a state where religion lies at the bottom of most of its political conflicts – be it between secular and religious groups within Judaism or when trying to cope with other religions of non-Jewish citizens, namely Muslims. The ongoing debate on the position of religion within the Israeli legal system arouses general discussions, passionate proclamations, demonstrations and antipathies.

Ordinary Israeli citizens are not likely to know much about the remnants of the Ottoman law but would probably be willing to express an opinion on how the state should deal with religion. Such a public discussion was recently, in the spring of 2014, triggered by a bill allowing a military draft of religious communities which were previously exempted from the military service. The *Haredi* communities organized protests in the form of a mass prayer in the center of Jerusalem, as well as in several cities within North America.³⁸ The estimated numbers of protesters in Jerusalem ranged from 250,000 to 600,000,³⁹

34 CA 6821/93 *United Mizrahi Bank v. Migdal Cooperative Village* (1995)

35 Weill (see note 6), pp. 499 – 504, Segev (see note 10), p. 469.

36 Segev (see note 10), p. 463.

37 Segev (see note 10), p. 423.

38 Lily Wilf, "Ultra-Orthodox in NYC Protest Israeli Draft Law", in *TabletMag*, Online 10th April 2014. <http://www.tabletmag.com/scroll/165549/ultra-orthodox-in-nyc-protest-israeli-draft-law>.

39 Crispian Balmer, "Ultra-Orthodox Jews stage mass protest against Israeli draft law", in *Reuters*, Online 10th April 2014 <http://www.reuters.com/article/2014/03/02/us-israel-conscription-idUSBREA210I820140302>.

either way being impressive since the total number of Israel's population amounts to about 8 million people and a number of *Haredi* Jews is estimated at about 11%.⁴⁰

Religion runs deeply through the Israeli society with all the disputes that accompany it. Even the Declaration of Establishment was not saved when the drafting parties could not agree whether to include the word God or not. This conflict made a mark on the establishment of Israel and became an inseparable part of the public discourse.⁴¹ The adopted wording of The Declaration of Establishment eventually included the phrase *לְאִשֵּׁי רֹחַ* which was used as a compromise and is usually translated as “Rock of Israel”,⁴² although earlier translations use the phrase Almighty God.⁴³

This term was chosen for its meaning to both religious and secular Jews. While religious circles saw this term as a reference to God,⁴⁴ secular circles interpret it as a cultural and historical heritage of the Jewish community. Religious circles, represented by

Moshe Shapira,⁴⁵ demanded that the Declaration should include a reference to God and the leftist *Mapam* party refused to sign a document that would incorporate such a reference. Ben Gurion was pushing for a quick approval of the document that would enable its declaration before Shabbat. The mentioned compromise was the easiest solution both sides were able to agree on. Ben Gurion himself saw it as an agreeable outcome and later expressed his view that for him the adopted phrase represented the Hebrew Bible and its history and traditions.

Prior to the establishment of the new State, religious courts had jurisdiction only in matters involving personal status or family law. With the change of legal orders, the proponents of a Jewish law were given hope to acquire a bigger role with the incorporation of *Halacha* into the new legal order.⁴⁶ This started a debate that continues until today and is not limited to a mere question of incorporation or non-incorporation but to the issues of the extent and means of a possible incorporation.

At one end of the spectrum of opinions, stood the leaders of *Agudat Israel*. It was originally a group of orthodox activists that came to Israel mainly from Germany and Poland and formed a party in 1912. They distinguished themselves from the Zionist organizations and formulated their opinion concerning the possible future of Palestine in 1938. They viewed the Torah as the primary source of

40 Central Bureau of Statistics, Long-Range Population Projections for Israel: 2009-2059 (2012).

41 Elazar (see note 20).

42 “Placing Our Trust in the ‘Rock of Israel’, [...]” <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx>, Elazar (see note 20).

43 “With trust in Almighty God,(...)” Elon (see note 1712).

44 Psalm 19:15 - צוּרִי וְגֹאֲלִי - יְהוָה, translates as “o Lord, my Rock, and my Redeemer”, e.g. English translation published by the Judaica Press.

45 Israeli politician (1902-1970).

46 Elon (see note 1712), p. 1613.

law that regulates all aspects of life including the government and the judiciary. In their view, the State is by no means separated from religion. Slightly less extreme opinions still consider the Torah as the primary source, but agree to a division between the rabbinic courts and the general courts. The latter ones should not decide solely basing their rulings on the Torah but should nevertheless follow its spirit and comply with its provisions regarding, e.g. the procedural law.

Some rabbis viewed this approach as objectionable. They pointed to the conditions set in the UN Resolution 181 which required the new states to adopt a democratic constitution. While they did not dispute that values embedded in Torah do not oppose democratic values of a modern state, they emphasized that not all inhabitants were Jewish.⁴⁷ The opinions of the religious community were numerous and varied significantly. When the time came to unite and let the religious public speak in a common voice, they failed to do so. The group was not able to find a common ground and raise their claims while the State was being established. The question of incorporating *Halacha* into the new legal order was not presented in such a form as to be taken seriously and was therefore not dealt with.⁴⁸ *Mapai*, the strongest political party, favoured a secular state with a possible “introduction of the jurisprudence of historic Judaism as

the basis of the legal order”.⁴⁹ Other left-wing parties, e.g. *Mapam* wanted a secular state were Jewish law would have no power even in the questions of personal status.

The State was established as a secular State whose leaders did not have to follow the Torah and whose running is based on a secular law.⁵⁰ Judaism is not a state religion. Nevertheless, Israel is not a classic secular state in the Euro-American sense. Despite its proclaimed secularity, Israel acknowledges religious institutions as state bodies, supports them financially through a state budget and enforces some of the religious rules through acts passed by the Knesset. As Eliezer Rivlin states:⁵¹ “*Although there is no separation between church and state in the country, Israel is not a religious state and the Jewish religion is not a state religion.*”⁵²

Instead, it would be more accurate to talk about the Jewish character of the State which was expressed in the Declaration of Establishment and recognized by the Supreme Court.⁵³ The historical legitimacy of a Jewish character of the State of Israel can be drawn from two concepts. First, as was already mentioned, the UN Resolution 181 proposed the division of the mandate into an Arab and a Jewish

49 Segev (see note 10), p. 416.

50 Yeahayahu Leibowitz, *Judaism, Human Values and the Jewish State* (Cambridge: Harvard University Press, 1992), p. 175.

51 Former Supreme Court Justice (born 1942).

52 Rivlin (see note 2015), p. 786.

53 Suzie Navot, *The Constitutional Law of Israel* (Alphen aan den Rijn: Kluwer Law International, 2007), p.309.

47 In fact, in 1947 only 32% of Israel’s population was Jewish.

48 Elon (see note 17), pp. 1613- 1618.

state. Second, it was based on a general idea of the right to self-determination of the Jewish people as developed during the 20th century in Europe and defined by the international law.⁵⁴

Both sides, religious and secular, perceive the current status of religious law differently. From the secular point of view, the religious courts derive their authority from acts enacted by the Knesset and they have to follow them as they were interpreted by the Supreme Court according to the principle of *stare decisis* even where it means going against the religious rules.⁵⁵ The religious courts have a different opinion on their position. They consider themselves as having their authority derived from the religious normative system which historically precedes the State of Israel and is valid irrespective of its recognition by a secular state. The restrictions set on the religious courts by laws or by decisions made by a Supreme Court are therefore highly problematic.⁵⁶

A particularly controversial situation can arise when two parties request their case to be heard in front of a rabbinic court, even though the case would not otherwise fall under its jurisdiction. The rabbinical courts do not see a problem

here and are willing to hear the case. However, the Supreme Court ruled in *Amir vs. Great Rabbinical Court*⁵⁷ that the jurisdiction of rabbinical courts is limited by law and they cannot go beyond the scope of their statutory jurisdiction and decide the case even with the consent of all parties involved. This contradictory understanding has led to a conflict of two normative systems in which neither acknowledges the superiority of the other. It is no wonder then that the constitutional set-up for the incorporation of religious law has always been controversial.

The provisions of the Basic Laws do not make the situation any clearer. In two of the newer Basic Laws – *Human Dignity and Liberty* and *Freedom of Occupation*, the phrase “*Jewish and democratic state*” was used. The interpretation of this provision has been diverse. According to some, it admits that Jewish law is in fact a source of law in Israel. However, there is no such provision in any act passed by the Knesset which is the only source of law in Israel. The legislative body has only once decided to include the following phrase into one of its laws: “[...] *it shall decide it in the light of the principles of freedom, justice, equity and peace of Israel’s heritage*“.⁵⁸

The combination of *Jewish* and *democratic* caused such a controversy that the Supreme Court took the opportunity to interpret its meaning and ruled in *United Mizrahi Bank vs. Migdal Cooperative Village* that democratic

54 Art. 55 of the UN Charter, Art. 1/1 of the International Covenant on Civil and Political Rights, the Covenant was signed by Israel in 1966 but ratified only in 1991.

55 Haim H. Cohn, *Jewish Law in Ancient and Modern Israel* (New York: Ktav Publishing House, Inc., 1971), pp. 176, 183.

56 Anat Scolnicov, “Religious Law, Religious Courts and Human Rights Within Israeli Constitutional Structure”, in *International Journal of Constitutional Law* (2006).

57 HCJ 8636/03 Amir v. Great Rabbinical Court (2003).

58 Foundations of Law Act (1980); Scolnicov (see note 56).

does not mean solely free elections and the rule of majority but the protection of human rights and independent judiciary as well;⁵⁹ Jewish values were interpreted then as universal values inclusive of the above mentioned democratic principles.⁶⁰ This very broad interpretation has allowed the Supreme Court to ensure the coexistence of democratic and Jewish values.⁶¹ The exact understanding of what it means to be a Jewish and democratic state has caused a heated debate which has inspired many academic publications, conferences and even newspaper articles.

Various legal arrangements were adopted in order to ensure that the special status of religion in Israel is preserved. Such arrangements inevitably infringe different individual rights, such as freedom of religion, freedom of occupation or freedom of movement. The careful balance between these two aspects of modern Israel came to be known as the status quo. It is a “system of arrangements in numerous areas in which a balance is struck between the Jewish character of the State and individual rights”.⁶² Within “the framework of preserving the status quo,”⁶³ the State is enabled to take into consideration religious demands and choose not to decide on these matters.⁶⁴

The status quo came into being simultaneously with the State of Israel. It was set up as a political document and agreed upon by the political leaders prior to the declaration of the State. David Ben Gurion from his position of a chairman of the Jewish Agency Executive⁶⁵ (the main Zionist institution controlled by the secular Labour Party) sent a letter to the leaders of the *Haredi* political party *Agudat Israel* in June 1947,⁶⁶ addressing their concerns about the status of religion in the newly emerging State. Due to the character of this document, it does not have a legally binding character and despite many attempts it has not been incorporated into legislation or even into a Basic law.⁶⁷

Despite its lack of legal validity, it has the form of a political compromise that has been shaping Israeli society and politics until today. It is not the single source for the status quo regime, but it serves as the first and most important document and its provisions have been partly fulfilled by various laws and administrative acts.⁶⁸ The main areas concerned by this letter are family law,

Compromises and Constant Change”, in *Cardozo Law Review* 30.6 (2009), p. 2496.

59 CA 6821/93 United Mizrahi Bank vs. Migdal Cooperative Village (1995).

60 CA 506/88 Shefer vs. State of Israel (1993).

61 Rivlin (see note 20), p. 786.

62 Navot (see note 53), p. 313.

63 Ibid.

64 Daphne Barak-Erez, “Law and Religion under the Status Quo Model: Between Past

65 Itamar Rabinovich and Jehuda Reinharz, ed., *Israel in the Middle East: Documents and Readings on Society, Politics, and Foreign Relations, Pre-1948 to the Present* (Lebanon: Brandeis University Press, 2008), p.59.

66 Ibid, p. 58.

67 Navot (see note 53), p. 313.

68 E.g. The Hours of Work and Rest Law of 1951, The *Kasher* Food for Soldiers Ordinance of 1948, The Rabbinical Courts Jurisdiction (Marriage and Divorce) Law of 1953, The State Education Law of 1953.

which remains under the jurisdiction of rabbinical courts, the keeping of the Sabbath as a day of rest, keeping *kashrut* in the kitchens of official institutions of the State and full autonomy to the different Jewish denominations in matters of education.⁶⁹

While the above mentioned regime under which certain religiously sensitive issues are dealt with is called the status quo, it cannot be said there is no evolution about it. It balances between religious consideration and individual rights of Israeli citizens. Following the above mentioned *Basic Law: Freedom of Occupation* and *Basic Law: Human Dignity and Liberty*, the Israeli Supreme Court, sitting as the High Court of Justice, ruled on this topic in the Solodkin judgement.⁷⁰ This case dealt with the power to prohibit the sale of pork, i.e. the religious consideration, and with individual freedom to sell and purchase pork.

The Court stressed that the authority to prohibit sale of pork remains with local authority but it must ensure that whoever wishes to sell or purchase pork must be able to do so within their place of settlement therefore carefully finding a middle ground between the two principles. The Court ruled that “it is essential to balance between the aspiration to protect religious and national feelings that are wounded by the sale of pork, and the protection of freedom of conscience and freedom of

occupation of individuals desiring to purchase and to sell pork.”⁷¹

It might seem a surprise that the founding figures of the State of Israel were willing to provide the religious circles with as much influence as they in fact did. Most of the early leaders had a very secular worldview and saw *Haredi* Jews as a marginal part of the Jewish community. The establishment of status quo had rational reasons for the national leaders at the time but the consequences are probably not what they expected.

The Zionist leaders wanted a wide support for their cause and saw the status quo as a bargain with the *Haredi* community.⁷² However, such a support would not be complete since a part of the *Haredi* community did not see the establishment of the State of Israel as legitimate. Another possible reason that the Zionist leaders were considering was the support of the Jewish diaspora. The secular leaders wanted to show to the diaspora Jews, who were thought of as the future Jewish citizens, that they did not lose the connection to the Jewish past and were determined to preserve Judaism and Jewish culture. David Ben Gurion saw this support for Orthodox Jews as a “legitimizing and unifying force”.⁷³

69 Rabinovich (see note 54), pp. 58-59.

70 HCJ 953/01 Solodkin vs. Beit Shemesh Municipality.

71 Navot (see note 53), p. 314.

72 Gila Stopler, “National Identity and Religion-State Relations: Israel in Comparative Perspective”, in *Israeli Constitutional Law in the Making*, ed. by Gideon Sapir, Daphne Barak-Erez, Aharon Barak (Oxford: Hart Publishing, 2013), p. 514.

73 Ibid.

It should be stressed that at the time of the proclamation of the status quo, *Haredi* Jews were a marginal part of the Jewish society in Israel and were seen as a gradually disintegrating group which was not expected to survive in the face of modernity and Israeli nationalism. Taking into consideration this reason, it can be seen that status quo did not seem to Ben Gurion as important a document as it eventually became. Contrary to Ben Gurion's expectations, the *Haredi* community did not disappear; instead it grew both in numbers and in influence.

4. CONCLUSION

There is no agreement among jurists and scholars whether Israel has or does not have a written constitution. Some Israeli lawyers, e.g. Joshua Segev, argue that Israel does not have “a formal Constitution.” However, that did not hinder Israel from having a “fair and stable cooperation based on democratic foundation and the protection of human rights.”⁷⁴ Not having a formal written constitution does not mean that Israel never had a material constitution written and scattered across various documents. Israel has a clear political arrangement based on democratic values of rule of law, democratic elections, judicial review and the Jewish nature of the state.⁷⁵ The occasional call for a formal written constitution is heard but the political will to adopt even Basic Laws is missing, let alone a whole constitution. The conflicts outlined above are just a few and the most visible issues. The

political process itself is fairly difficult in Israel notwithstanding the tension in the society and the state of Israel's legal order. While the issue of a constitution is being discussed, it is essential to look back to history and to see what the reasons for the current situation are. As all of the points raised above would deserve to be elaborated, this paper serves more as an introduction to the issue.

The constitutional and legal system of the State of Israel is based on a fragile construction that supports a major conflict within Israel. While it is the religious controversy that raises most questions and is the most visible to the general public, it is not the only problem of the Israeli legal system. A political compromise, which is inherent to all democracies, played a key role in most of the above mentioned issues and is in fact the basis for a number of laws including the Basic Laws. This situation proved complicated and uncertain in the long term. A constitution aiming to resolve the main issues can be a viable solution for Israel.

However, the question of whether Israel will in fact one day adopt a single document called The Constitution remains open. Nevertheless, we can say that Israel has, to a certain extent, wasted the best moment to do so when it did not use the exceptional opportunity of its establishment. It is hard to imagine a situation that will be more convenient than year 1948. However, Israel might not need to enact a formal constitution, as the Supreme Court did not hesitate to call the collection of Basic Laws a

⁷⁴ Segev (see note 10), p. 410.

⁷⁵ Segev (see note 10), p. 433.

formal constitution. The same opinion was held by Professor Benjamin Akzin who preceded the Supreme Court a number of years when he declared that the absence of one single document is irrelevant when assessing whether Israel has a constitution or not. Even if the Knesset does not keep its promise from the Decision Harari, Israel already has a material constitution⁷⁶ or in other words a constitutional framework and adopting a formal Constitution will not bring a solution to Israel's political and social problems manifested here. No matter whether one agrees with the Supreme Court or differs, one can expect further developments that will be happening along the lines of the conflicts discussed above.

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