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ASSEMBLY OF THE JEWS IN PARIS.

PARIS, SEPT. 11.

The German papers, having most strangely perverted the answers given by the synod of the Jews convened in Paris, more particularly those given to the third and sixth questions, we have to gratify a number of our subscribers republished all the answers, as we have obtained them from a well informed correspondent. (*Journal de Commerce.*

1st. *Ques.* Is a plurality of wives permitted to the Jews?

Ans.—It is not lawful for the Jews to take more than one wife. They generally comply with the laws of the European states in which they reside, and those forbidding polygamy, the Jews comply with those laws.

Moses did not expressly command to marry more than one, neither did he forbid it. It would appear that taking it for granted that such a thing would happen, he regulates the portions of children of different wives. Although polygamy was tolerated in the East, the ancients prescribe to the Jews not to marry more than one woman, unless their substance afforded the means of providing for more, and their issue. It was different in the west, where desirous of conforming to the usages of the nations among which they settled, the Jews generally renounced polygamy.—Some few individuals however still following that practice, a Synod was convened at Worms in the 11th century, in which the Rabbi Guershon presided, composed of 100 Rabbies. This assembly pronounced an anathema against every Israelite, who should thereafter marry more than one woman, this prohibition, seconded by the influence of European manners & laws, has been obeyed ever since.

2d. *Question.*—Does the religion of the Jews admit of divorce? is such a divorce considered as conclusive, when at variance with the laws of France?

Ans.—Divorce is allowed by the law of Moses, but it is not valid unless previously decided by the tribunals according to the laws of France. Submission to the laws of the prince, is the first duty of all Jews, and it is a fundamental maxim adopted among them, that in whatever relates to civil and political concerns, the laws of the state shall be paramount. Before they enjoyed in France the same rights as other citizens, and when by special acts of the state, which permitted them to govern themselves in conformity with their religious customs, they had the liberty of divorcing their wives; it was however very rarely used. Since the revolution they have entirely conformed to the French laws; and when admitted to the rights of Citizenship, the Rabbies and principal Jews of France appeared before the local municipalities, and took the oath, strictly to conform in all things to the laws of France, and to have no other rule in the adjustment of their civil concerns. Thus they can no longer consider divorce pronounced by their Rabbies as valid, since to be so it must be previously pronounced by the civil tribunals of the state.

Inasmuch as the Rabbies, by a decree of the consuls, were forbidden to administer the marriage ceremony, unless the parties could shew that they were previously married by a municipal officer, so in like manner they pronounce divorce, unless previously pronounced by the civil authority. If even this decree did not decide the point, the sentence of the Rabbies would not be valid, as the law in regard to civil concerns, would be superior, to which either of the parties would have the right of appealing; from all which it results that the sentence of the Rabbie, without the sanction of the civil law, cannot be valid. And it is further evident, that since the Jews marry before the civil magistrate, that no Jew, who respects his religion can repudiate his wife, unless by double divorce, and on which account it is asserted that the law of Moses is perfectly conformable to the civil law.

Question 3.—May a Jewess marry a Christian, or a Christian women marry a Jew? or does their law allow them only to marry among themselves.

Ans.—The law does not say, that a Jewess shall not marry a christian, nor a christian woman a Jew; neither does it declare that the Jews can only marry among themselves. The law forbids only marriages with the seven Cananean nations, with Amon Moab and the Egyptians. The prohibition with the seven nations is absolute, that respecting Amon and Moab is according to the laws of the Talmud, confined to the men, and not to the women, but it is believed that the latter ought to have embraced the Jewish religion. The law concerning the Egyptians is confined to the third generation. The prohibition is strictly applicable to the nations who worship idols. The Talmud declares formally, that the modern nations are not idolates, seeing that they, as we do, worship the Lord God of Heaven and earth; hence many marriages have taken place between Jews and Christians, in France, Spain and Germany. These marriages were permitted or prohibited by the Princes in whose kingdoms or States the Jews resided; some such marriages are to be found in France at present, yet we cannot conceal that these marriages are against the opinion of the Rabbies; according to their tenets it is held that in the acceptance of the Talmud, a marriage requires religious ceremonies called *Kiduschin*, and the nuptial blessing, and as no marriage is valid in point of religion, if the said ceremonies are not performed, it is evident that no such marriage can take place between two individuals who should not both consider the said ceremony sacred: in which case they might separate again without being under the necessity of applying to their church for a divorce. They would be considered as civilly, but not religiously married.—Such is the opinion of the Rabbies, members of the assembly, and they would in general be not more inclined to celebrate the nuptials of a Christian woman with a Jew, or of a Jewess, than the Roman Catholic priests would be disposed to consecrate such a marriage.

The Rabbies however confess that a Jew who marries a christian woman does not therefore cease to be a Jew in the opinion of his co-religionists, the same as he who marries a Jewess civilly and not according to the precepts of the religion.

Question 4.—Do the Jews consider Frenchmen as brothers, or as foreigners.

Answer.—The Jews consider Frenchmen as brothers, and not as foreigners, and which mode of cosidering them is in conformity with the principles of the law of Moses.

At the time when the Israelites existed as a nation, their legislator prescribed to them, to love the stranger as their brother, "remember, said "he to them, that you have been strangers in Egypt." Respect and kindness towards strangers, are not only recommended by Moses, as a mere practical duty of social morality, but commanded by God himself. "When getting in "your harvest, said he to them, do not go "back to gather the gleanings, leave "them for poor strangers, and the widow, do not ill-treat the stranger, do "him no injury, love him and give him "bread, supply him with clothes, if he "want, I am the Everlasting, your "God, the Everlasting lover of strangers.

To those sentiments of benevolence Moses adds the love of mankind in general. "Love thy equal as thyself,"—David also expresses himself, "The lord our God is all goodness, his mercy extendeth over all his works.

A Taldmadist says, "we are obliged to love as brothers, to visit the sick, to bury the dead, and to assist the poor of the stranger, the same as if they were Israelites, whatever may be their opinions. There is in truth no act which a true Israelite ought not to perform towards a stranger." His principles, are to forsake idolatry, not to blaspheme, not to commit adultery, not to kill or wound a fellow creature, not to rob, nor deceive, and to maintain justice. All our principles therefore make it a duty for us to love the French as brothers.

A pagan once required of the Rabbi Hilli, information respecting the Jewish religion, and to be briefly informed of its principles. He received the following reply "Do not to thy fellow creature that which thou would not should be done unto thee." This is the true religion, the rest is but consequence. A religion which prescribes to love the stranger, which recommends the practice of all the social virtues, enjoins us to love a fellow citizen as a brother.—How can we consider them otherwise? we inhabit the same soil, we are ruled and protected by the same government, enjoy the same privileges, and fulfill the same duties.

There is between the Jew and the christian another tie on the former, effacing the recollection of any difference of religion; that of gratitude, inspired by a free tolerance of our religion, which in addition to other favors, has acquired such force, that we cannot avoid joining our destiny with that of France. Yes, France is our native Country, and Frenchmen are our brothers. This glorious title, while it gives us more estimation in our own minds, is a pledge that we shall never cease to deserve it.

Question 5.—What are the relations which the law prescribes to those French who are not of the Jewish creed?

Ans.—The relations are the same as from one Jew to another. We acknowledge no other difference, but that of worshipping God, each in his own way, and we believe this differing does not displease the God of Heaven and earth. The answer to the preceeding question shews the relations which the law of Moses, the Talmud, prescribe to us with the French who are not of our religion. And now since the Jews are no more a distinct nation, and since they enjoy the advantage of being incorporated into the great nation, which they consider as a political redemption, it is impossible that a Jew can consider a Frenchman who is not of his religion, different from one of his religion.

Ques. 6.—Do the Jews who are born in France & who are treated by the law, as French citizens consider France as their native country, and are they obliged to defend her?

Ans.—Men who have adopted a country in which they have resided during several generations, who under the restraints of particular laws which abridged their civil rights and who had affection enough for that country, to prefer the misfortune of not partaking the rights and privileges of the other citizens, to that of leaving her, cannot now consider themselves in France but as Frenchmen. The obligation of defending her, appears to them a duty both honorable and natural. Jeremiah, chap. 29, "tells the Jews to consider Babylon as their country, although they were to remain there but seventy years. He recommends to them to clear the land, to build houses, to sow and plant." They followed his advice in such a manner. that Esdras, chap. 1, says "that when Cyrus gave them leave to return to Jerusalem in order to rebuild a second temple, no more than 40,350 left Babylon, and that these were chiefly *proletaire*, all the rich having remained in that city. The love of the Jews for their country is a feeling so natural and so ardent, and so much unconnected with their religious faith, that a French Jew when in England, although in the midst of other Jews, considers himself as a stranger, and that the same takes place when an English Jew comes to France. This feeling prevails so much against the spirit of the religion, that French Jews have been seen in the late wars fighting to the utmost against German Jews, who were opposed to them. A great number of them bear honorable scars, and have given in the field glorious proofs of their valor.

Quest. 7.—How are the Rabbies appointed.

Ans.—Since the revolution, in all places where the Jews were sufficient in number to support a Rabbi, he is chosen by the heads of families, who examine into his morality, and capacity.

Quest. 8.—What jurisdiction of police had the Rabbies over the Jews? have they any judiciary jurisdiction among themselves!

Ans.—The Rabbies have no jurisdiction of police over the Jews. The term Rabbi is found no where in the law of Moses, nor did it exist in the time of the first temple; the first mention of Rabbi is to be found towards the end of the second temple. The Jews were governed in those days by Sanhedrins or tribunals There was one superior tribunal called the grand Sanhedrin, which held its sittings in Jerusalem, and was composed of 71 Judges. There were inferior tribunals, for police and civil affairs; these were composed of 3 judges, and there was another tribunal composed of 23 judges, which determined matters of more importance, and were called the interior Sanhedrins. The term of Rabbins noticed for the first time in the Misna and Talmud, and is there used to denote a Doctor of Laws, hence a man who was learned was commonly called Rabbi. After being dispersed, the Israelites formed small communities in those places where they were permitted to settle, and there a Rabbi, assisted by two doctors, called Cesdins, formed a tribunal and decided matters relative to the Jews. The Rabbi was president, and the doctors were judges or assistants. These tribunals however, were at all times, held under the permission and pleasure of the government under which they lived, that is, they had no independent judiciary.

None of those tribunals of Rabbies are to be found at this time in France or Italy since the revolution. The Jews after that epocha became citizens, and conformed themselves in all things to the laws of the state. The functions of the Rabbies in the places where they are established, are confined to the duties of preaching, celebrating marriages and pronouncing divorces. In places where there is no Rabbi, any Jew learned in his religion, may agreeable to the law consecrate a marriage without the assistance of a Rabbi, which is an inconsistency, the evil consequences of which ought to be remedied, by extending the prohibition of the Rabbies, made by the arrette of the consuls to every other person, who may be applied to, to consecrate a marriage. As for what concerns the judiciary police among themselves, they can have none since there is no constituted ecclesiastical hierarchy, nor any subordination of religious functions.

Question 9. Are those forms of election and the jurisdiction of those tribunals, directed by law, or merely established by custom?

Answer.—The replies made to the two former questions, make any reply to this unnecessary. It may only be observed, that supposing the Rabbies to possess any judiciary jurisdiction at this time (the contrary of which is the fact) or that there are any particular form of election, they must be the effect of custom, and not by the authority of law.

Ques. 10.—Are there any professions, which the laws of the Jews forbid?

Ans.—There are none: on the contrary the Talmud (Kiduschem, chap. 1.) declares positively that the father of a family, who does not bring up his child to a trade, brings him up to be a highwayman.

Quest. 11.—Does the law of the Jews forbid them to take usury of their brethren?

Ans.—Deuteronomy, chap. 23, verse 19, "You shall not lend on interest to your brother, neither money, nor grains, nor any thing whatsoever."

The Hebrew word *nechel*, which has been translated by the word usury, has wrongly been explained. It signifies in the Hebrew tongue, "any interest," & not an usurious interest: It has not therefore, the signification which is now applied to the word usury. It is even impossible that it could have had that signification, for that expression is relative, and there is nothing in the text which expresses its relation.

What do we understand by the French word usury; is it not an interest higher than the rate fixed by law?

If the law of Moses has not fixed that rate is it possible that the Hebrew word should signify an illegal interest?

The word Nechel is in the Hebrew tongue, what the word Fanus is in the Latin.

In order therefore to induce one to believe that this word signifies usury, there ought to be another word which would signify interest; and since that word does not exist all interest is usury, and all usury is interest. What view may the legislator have had, when he forbade the Hebrews to take interest from one another? It was certainly to bring the ties of brotherhood closer among them, and to induce them to assist each other from motives of benevolence.

The first object was to establish among them equality of property and mediocrity of private wealth, in consequence of which, the Sabatick and Jubilee years were established; the former to take place every seven, and the latter every fifty years. The Sabbatick year abolished all debts, and the Jubilee restored all the property which had been sold or alienated. It was easy to foresee that difference of soil, more or less industry, and the common calamities of life, which would occur, would naturally produce inequality of property, and that the unfortunate Israelite, would require the assistance of the more fortunate. Moses did not wish that the latter should profit by the misfortune of the former, and that he should increase his misfortunes, by making him pay for the aid which the unfortunate should be compelled to ask, and become more opulent, as the other became poorer, and therefore he says "you shall not lend on interest to your brother." But what loans could the Jews make to each other in times like those; they had no commerce, and but little money was in circulation, and when property was more equally divided? It could be nothing else but a few bushels of grain, some cattle, or a few utensils of husbandry, which Moses commanded to be loaned gratis. He wished his people to be a people of husbandmen. Long after the time of Moses, and although Judea was situated near the sea, inhabited by the Tyrians, Syrians, and other commercial and maritime people, the Hebrews did not engage in commerce. All the ordinances of their legislator seem to divert them from commerce.

This prohibition of Moses is therefore not to be considered as a principle of commerce, but merely as a principle of charity; according to the Talmud the loan is only considered as neighborly, and as granted to one in want; if it was granted to a merchant, and if he was a Jew, it would be lawful to grant it under the condition of advantage, equivalent to the risk. The word usury had ormerly no opprobrious signification, it merely signified any interest. A simple loan on interest, was not only prohibited between Jews, but between Jews and persons of other religions. It must be free and gratuitous, whenever it has for its object to serve him who required it, and was not made for the purposes of commerce.

It ought however to be remembered, that these wise and wholesome regulations, were made at a remote period from the present, and when the Jews existed as a nation of the world.

But when this unhappy people were dispersed among the nations of the earth, the duties and obligations imposed on them by their legislator, while in Palestine, naturally ceased with the changes of their condition, and although they delight in the principles of the law, yet as the reasons for the law have ceased, they do not now hesitate to lend money on interest to trading Jews, as well as other persons of different religions.

Ques. 12. Does the law prohibit, or does it permit the Jews to lend money on usury, to strangers?

Ans. We have shewn in the answer preceding, that usury considered as the smallest interest, is less a principle of commerce, than of charity and benevolence, and in this view it is equally prohibited by Moses, and by the Talmud, and this prohibition extends as well to our own countrymen, who do not profess the Jewish religion, as to those who do. The Spirit of the law, which permits us to take interest from a stranger, evidently applies to the nations with whom we are engaged in commerce, otherwise a palpable contradiction would be perceived in the following, and 20 other passages of the holy writings "love the stranger, because the Lord our God loves the stranger, give him food and raiment. There shall be but one law for you, and for the stranger, who resides among you. Let justice be equally administered to the stranger as among yourselves Cursed be he that do the least wrong to the stranger, treat the stranger as yourself."

The restriction then was applicable to the stranger, who resided in Israel; the scripture puts him under the safety of God. The stranger is a sacred guest, whom God has commanded us to treat as the widow and the orphan. It is evident then that the text which says "*extraneo foenerabis et fratri tuo non foenerabis*" is to be applied only to foreign nations, with whom we are engaged in commerce; and in this sense the scripture while allowing interest to be taken from the stranger, does not mean excessive interest, oppressive to him who pays, and scandalous to him who receives it. "*Non licuisse Israelites*, say the doctors, *usuras immoderatas exigere ab extraneis, etiam divitibus, res est per se noto.*"

Moses in being the legislator of the Jews, was not so for the world. The laws which he gave to the people confided to him by God, could not be supposed to be laws for all the world. "You shall not take any interest from your brother." What security had he that in the relations which were to be formed between the Jews and foreign nations, that the latter would renounce the customs of commerce, and lend the Jews without interest; it could not be supposed that he would sacrifice the interests of his own people who were poor, for the purpose of enriching foreign nations. It is absurd to blame him for the restriction made in his precept of the Deuteronomy. What legislator would not have considered it as a principal of natural reciprocity? How greatly superior in this instance is the legislation of Moses, how much more simple, more noble, more just, and more humane than that of the Greeks and Romans. Were there ever seen among the ancient Jews, any of those scandalous and cruel scenes occasioned by inexorable creditors? Were there among the Greeks and Romans, any of those frequent abolitions of debts, for the purpose of saving numbers of miserable people, reduced to wretchedness and driven to despair by the exactions of the Praetors? as were seen among the Jews?

The legislation of Moses, and its interpreters have with a laudable philanthropy distinguished the different uses of borrowed money. If it is borrowed for the support of the family, the interest is prohibited. It is permitted when the loan is made for commercial purposes, which endanger the capital of the lender. This interest is permitted even from Jew to Jew. *Lend to the poor* says Moses, gratitude is in this case the only interest, and the reward for the service rendered is the satisfaction of having rendered it. It is quite different with regard to the rich who employ large capital in extensive trade; in this case he allows the lender to become an associate with the borrower; and since there was scarcely any trade among the Israelites, who were exclusively engaged in agriculture, and since what trade there was, was carried on with foreigners, that is to say, with neighboring nations, it was to partake with them in the profits arising therefrom.

This caused M. de Clermont Tonnere to deliver these remarkable words in the constituent assembly. "Usury, it is said, is permitted to the Jews. This assertion rests only on the false interpretation of a principle of benevolence and fraternity, which forbids them to lend on interest to each other. This opinion, is that of Puffendorf, and of many other jurisprudists. It is incontrovertable that interest is permitted among Jews when it is for mercantile purposes in which the lender, by running a share of the hazards, which the borrower runs, associates himself also with him for his profits. This is the opinion of all the Jewish doctors."

It may be noticed that the opinion contrary to social morality which a Rabbie may have given, can by no means induce one to judge unfavorably of the Jewish doctrine in general; no more than similar ideas produced by Catholic Theologists, would influence the evangelical doctrines.

The same may be said of the imputation spread against the Hebrews, that they have a propensity for the infamous