

Frederick William III, King of Prussia, Edict Concerning the Civil Status of the Jews in the Prussian State (March 11, 1812)

Abstract

Prussian Jewish policy since 1750 distinguished between the legally protected propertied Jews and their merely tolerated co-religionists. Complicating the Prussian situation were the numerous Polish Jews acquired as subjects through the partitions of Poland (1772–1795), which saw Prussia annex large portions of the Polish-Lithuanian Commonwealth. The 1812 edict confined itself to the pre-1772 protected Jews, to whom a large measure of civil equality was extended in exchange for their assumption of fixed surnames, their adoption of German “or another living language” in their non-religious professional activities, and their fulfillment of common citizenly duties, including military conscription. Further stages of Prussian emancipation followed in the period 1833–67.

Source

We, Frederick William [III], by Grace of God

King of Prussia etc. etc.,

having resolved to grant to the members of the Jewish faith in Our monarchy a new constitution suitable to the general welfare, declare all heretofore established laws and regulations for the Jews, unless confirmed in the current edict, to be abolished, and decree as follows:

§1. Jews and their dependents dwelling at present in Our States, provided with general privileges, patent letters of naturalization, letters of protection and concessions, are considered natives [*Einländer*] and as *state citizens of Prussia*.

§2. The maintenance of this designation as native and state citizen is allowed only under the following obligation:

that they bear strictly fixed surnames;

and

that they use German or another living language not only in keeping their commercial records but also in the drawing of contracts and legal declarations of intention; and they should use only German or Latin script for their signatures.

§3. Within six months of the publication date of this Edict, any individual protected or licensed Jew must declare to the authority at his place of residence the surname that he will bear permanently. He must identify himself by this name both in public proceedings and documents, as well as in ordinary life, just like any other citizen.

§4. After successfully fixing upon and declaring his surname, [the individual Jew] will receive from the government of the province in which he has his domicile a certificate that states he is a native [*Einländer*] and citizen, which certificate shall replace the letter of protection, for him and his posterity.

[...]

§7. [...] Jews who qualify as natives shall enjoy the same civil rights and liberties as Christians.

§8. They may therefore hold any academic teaching and school posts, as well as municipal offices, for which they are qualified.

§9. We reserve the right, over the course of time, to determine by law the extent to which the Jews might be allowed to perform other public services and state functions.

§10. They are free to settle in cities as well as in the countryside.

§11. They may, like Christian inhabitants, acquire any sort of real estate and may also pursue any permitted trade, so long as they observe the general legal regulations.

§12. The right to freedom of trade that comes with state citizenship also pertains to commerce.

§13. Jews and their dependents living in the countryside may only pursue those branches of commerce permitted to the other [i.e., Christian] inhabitants.

§14. Native Jews, as such, will not be burdened with special taxes.

§15. They are, however, obliged to fulfill the same civil obligations and duties toward the state and their municipality as Christians and must bear the same [tax] burdens as other citizens, with the exception of payments for [Christian] ceremonial services.

§16. Native Jews are likewise subject to military conscription or to serving in the cantonal system and to all existing special legal regulations related thereto. [...]

§17. Native Jews may marry each other without a special permit or the prior issuing of a general marriage certificate insofar as agreement or permission to marry is not required by the regulations of Others [other authorities] in the first place.

§18. This is also the case when a native Jew marries a foreign Jewess.

§19. Marrying a native Jewess does not confer upon a foreign Jew the right to settle in these states.

§20. The private legal relationships among Jews are to be adjudicated by the same laws and legal principles that pertain to other Prussian citizens.

§21. Exceptions [to the above paragraph] pertain to cases of business and commerce which, because of differences in religious conceptions and practices, are necessarily bound by special legal determinations and forms.

[...]

§29. Regarding their jurisdictional status and the related matter of guardianship cases, there shall be no differences between Christians and Jews. The only exception remains Berlin, where Jews are assigned a special court of jurisdiction as ordered.

§30. In no case may rabbis or Jewish Elders arrogate to themselves either legal jurisdiction or the right to declare or administer legal guardianship.

§31. Foreign Jews are not allowed to settle in these states as long as they have not acquired Prussian citizenship.

§32. Acquisition of citizenship can be gained only by application to the government of the province in which the applicant wishes to settle and with approval by Our minister of the interior.

§33. Thereupon [new citizens] will enjoy the same rights and liberties as natives.

§34. Foreign Jews may not serve as rabbis, church servants, or apprentices, nor may they be employed in workshops or as domestics. This, however, does not apply to those Jews already settled in Our states at the time of the publication of the present edict.

§35. Native Jews who violate the provisions of (§34) are liable to a fine of 300 Reichstaler, or, in case of indigence, the conversion [of the monetary fine] into the appropriate prison sentence provided for by law. Foreign Jews [in violation of §34] must be deported.

§36. Foreign Jews are permitted to enter the country for purposes of transit or the pursuit of sanctioned trade or commerce. Police officials will be provided with special instructions concerning the surveillance procedures to be followed with regard to this matter.

§37. On grounds of the general prohibition against peddling, police measures will also put an end [to the practice] among Jews.

§38. In Königsberg, East Prussia, Breslau, and Frankfurt on the Oder, foreign Jews may, with permission of the authorities, reside for the duration of the [trade] fairs.

§39. The necessary regulations concerning the ecclesiastical condition and the improvement in the education of the Jews shall be considered at a later time. With reference to these matters, men of the Jewish faith who enjoy public confidence because of their knowledge and rectitude shall be consulted for their expert opinion.

Let all Our state officials and subjects observe the above rulings.

Source: *Gesetz-Sammlung für die Königlichen Preußischen Staaten 1812*. Berlin: Georg Decker [1812], pp. 17–22; reprinted in Walter Demel and Uwe Puschner, eds., *Von der Französischen Revolution bis zum Wiener Kongreß 1789–1815*, *Deutsche Geschichte in Quellen und Darstellung*, ed. Rainer A. Müller, Volume 6. Stuttgart: P. Reclam, 1995, pp. 211–16.

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Recommended Citation: Frederick William III, King of Prussia, Edict Concerning the Civil Status of the Jews in the Prussian State (March 11, 1812), published in: *German History in Documents and Images*,
<<https://germanhistorydocs.org/en/the-holy-roman-empire-1648-1815/ghdi:document-3650>> [July 16, 2024].