

Grand Duke Karl Friedrich of Baden, “Legal Provisions Concerning the Jews of the Sixth Constitutional Edict” (June 4, 1808)

Abstract

This first Jewish “emancipation decree” issued by a German government reflected the widespread German Enlightenment opinion that Jews should gain civil and religious equality in return for conforming to German culture and socio-economic practices. That is, emancipation was conditional on a considerable degree of assimilation in non-religious affairs. Here the conditions are spelled out in a spirit of paternalist benevolence, though not without hints of criticism (as the critical reference to “Talmudic interpretations” shows).

Source

[...] The inhabitants of the Jewish Nation [of the Grand Duchy of Baden] can in no respect be counted any longer among the unfree or hereditarily dependent people. Rather, they are to be treated as free citizens and to enjoy all the enumerated civil rights, excepting those excluded by the first provision of the Church Constitution. Moreover, for the time being, and so long as they have not generally adopted a [form of] education that allows them to support themselves in the same way as Christian inhabitants and to acquire the same capacity for work, and so long as it does not violate existing laws, [Jews] are not allowed to settle in any municipalities where they have not dwelt before without the consent of the local municipality and special permission by the Regent. Further, in places where they have previously lived, they shall, in general, still not be considered [full] citizens of the municipality but, like Christians who are not eligible for full citizenship, [they shall be] recognized as protected citizens. However, with regard to any [Jew] who meets the general requirements for full citizenship rights, especially by way of supporting himself in the same way as Christians, We retain the right to bestow full citizenship. In addition, insofar as future letters of protection say nothing to the contrary, [Jews], where they live, must possess all the rights of protected citizens and share in the rights of the municipality to the same degree as other Christian protected citizens. They must also, however, carry out and subject themselves to all the obligations of the protected citizen and live by the same laws as Christians, insofar as their religious privileges do not entail an exemption in one point or another. Such a [necessary exemption] cannot be determined by Talmudic interpretations but only according to simple demonstrations of Mosaic Law. Their endeavors to improve their education will be decisive in the gradual extension of their rights and the full equality of their rights in the state and in the municipalities.

Source: *Großherzoglich Badisches Regierungsblatt* (1834), pp. 487; reprinted in Helmut Neuhaus, ed., *Zeitalter des Absolutismus 1648-1789*, Deutsche Geschichte in Quellen und Darstellung, ed. Rainer A. Müller, volume 5. Stuttgart: P. Reclam, 1997, pp. 209–10.

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