

# *Constitutio in actu?* Eliezer Dileon's Letter to the Minsk *Kahal*, 1817

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## Abstract

A letter by the army contractor Eliezer Dileon to the community board of Minsk relating his audience with Tsar Alexander I of Russia in January 1817 sheds light on the significance of the performative dimension of Jewish intercession. In the perception of the intercessor, due to the personal encounter between the sovereign ruler and himself, the Jews in Russia constitute part of the political and societal fabric of the Empire, it sees them as 'a people.' The letter is one of the very few documents describing and confirming the symbolic meaning of an encounter between a monarch and a Jewish intercessor. It reflects on the reciprocal nature of negotiations between the state and the Jewish minority, the limitations in concrete outcomes notwithstanding.

## Keywords

intercession – political culture – ethnic minorities – Russian-Jewish history – Eliezer Dileon – Tsar Alexander I

## Introduction

The document discussed in this article is a letter written and signed by Eliezer Dileon (late 1770s–1838) and Judah Zundel Zonenberg, to the community board (*kahal*) of Minsk, which had officially mandated Dileon to negotiate

with the central state administration in St. Petersburg.<sup>1</sup> The two Jewish entrepreneurs had started to play a prominent role as contractors to the Russian army since the attack of Napoleon Bonaparte on Russia in 1812.<sup>2</sup> They were appointed deputies of Jewish communities under Russian rule.<sup>3</sup> The letter reports back about a meeting between the Jewish deputies and the Russian Emperor, Alexander I (1777–1825), and gives a detailed account of the negotiations between the two sides. At the time, the Russian capital was located outside the so-called Pale of Settlement, and only a small number of Jews had exceptional permits of residence - entrepreneurs, physicians, and very few others. Some of these - including Dileon - had established business relations with the state authorities and thus had access to the imperial administrative elites. The letter reflects the actual negotiation process between Jewish intercessors on the one and a powerful monarch on the other side. Although such negotiations occurred frequently, few written records offer insights into the dynamic of the live diplomatic action, and we only very partially understand how such personal encounters contributed to shaping the political and legal status of Jewish communities – in this case the Jews in the former Polish-Lithuanian Commonwealth, which at the time was the largest Jewish community in the world, with around three quarters of a million members.<sup>4</sup>

This commonwealth had been partitioned by its neighbors Russia, Austria, and Prussia, annexing its provinces in three stages in 1772, 1793 and 1795. The commonwealth's dismemberment represents a significant watershed in Eastern European Jewish history, as it heralded the end of a long period of

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- 1 The author wishes to thank Davide Mano, the host of the workshop 'Political Jews? Rhetoric and Politicisation among Jews in Enlightened and Revolutionary Europe (18th–19th Centuries)' held at the École des Hautes Études en Sciences Sociales in Paris in May 2019, where some of the material developed here was presented. He is also grateful to the anonymous *Zutot* reviewers of earlier versions of this article who helped sharpen the argument and enrich its substance.
  - 2 I. Schiper, *Dzieje handlu żydowskiego na ziemiach polskich* (Warsaw 1937, reprint Kraków 1990) 430; and idem, 'Deputaty evreiskago naroda v Rossii,' in *Evreiskaia Entsiklopedia* (Petrograd 1916) vol. VII, col. 102–104. Further biographical details about Dileon in the following. Judah Zundel Zonenberg is more elusive in the historical records. According to Schiper, he originated from Grodno. He does not appear as a relation of Joseph Samuel Sonnenberg (?–1801), better known as Samuel Zbytkower, in K. Reychman, *Szkice genealogiczne. Serja 1* (Warsaw 1936, reprint Warsaw 1985) 11–18.
  - 3 O. Minkina, *Syny Rahili. Evreiskie deputaty v Rossiskoi Imperii* (Moscow 2011) 144–145, identifies Dileon as originally mandated by the *kahal* in his native Nieśwież (Russ. Nesvizh), and Zonenberg by the one in Sluck (Russ. Slutsk).
  - 4 For a general orientation of the history of the Jews of Eastern Europe in the period of the partitions of Poland-Lithuania, see the most recent comprehensive account in A. Polonsky, *The Jews in Poland and Russia, vol. 1: 1350–1881* (Oxford/Portland 2010) 183–440.

wide-ranging Jewish self-governance going back to the late medieval period, relative legal and constitutional security based on generous general privileges and a well-established economic alliance with the nobility and aristocracy. Russia and Austria were confronted with considerable numbers of new Jewish subjects, and those living in the provinces annexed by Prussia roughly doubled the number of Jews under its rule. While Prussia and Austria had a range of administrative regulations in place to govern their small Jewish communities that they then strove to implement in the former Polish provinces, Russia never had an established Jewish community. From the first partition onwards, Russian rulers aimed at an administrative integration of the large Jewish community, and had to undo or transform century-old privileges, legal traditions, customs, and administrative relations between Jewish communities proud of their seniority and self-government on the one side, and state authorities on the other.<sup>5</sup> All three partitioning powers followed an enlightened ideal of integrating the Jewish community in the fabric of the non-Jewish state and its society, and all three faced considerable difficulties in implementing these ideals in the territories of the former Polish-Lithuanian Commonwealth.

After the final defeat of Napoleon in 1815 and the Congress of Vienna, Russia established itself as a major European political player, with many of the results of the partitions of Poland-Lithuania becoming part of the long-term political framework, including the fact that hundreds of thousands of Jews came under Russian rule, be it in the Western provinces of the Empire, or in the Kingdom of Poland. As in the case of the Austrian and Prussian partitions, state authorities in the Russian partition struggled to develop a coherent legislation reconciling their own objectives with the presence of such a large Jewish community in the Empire. The imperial administration tried to establish control over the Jews from an administrative point of view, to support their social integration, and to contain them geographically. Contradictory legislation and tensions between the various levels of imperial administration became a hallmark of Russian imperial policies towards the Jews, further exacerbated by stark differences in attitude of the Russian emperors. Limited success in implementing legislation pertaining to the Jews on the regional and

<sup>5</sup> For a comprehensive discussion of early attempts to integrate the former Polish-Jewish community into the Russian administrative fabric, see J.D. Klier, *Russia Gathers Her Jews: The origins of the "Jewish Question" in Russia, 1772–1825* (DeKalb, IL 1986) passim, and Y. Petrovsky-Shtern, *The Golden Age Shtetl: A New History of Jewish Life in East Europe* (Princeton, NJ 2014) 29–89.

local levels would strongly influence the fate of Russian Jewry until the Jews' emancipation in 1917 and beyond.<sup>6</sup>

The Russian administration consulted with representatives of Jewish communities on all levels: local, regional, and central. These consultations were particularly intense between 1802 and 1804 in the context of the first comprehensive Statute about the status of Russian Jews. This Jewish Ordinance or Statute (*Polozhenie ob evreev*) was enacted in 1804.<sup>7</sup> Further intense consultations concerning the shortcomings of its implementation occurred between 1807–1809, as well as during and shortly after the Great War (*Otetshestvennaia Voina*) against Napoleon (1812–1817). It is during this period that the imperial administration as well as Tsar Alexander I acknowledged the authors of the letter as spokesmen of the Jews of Russia. In the ensuing period (1817–1825), six Jews shared the role of delegates of the Jewish community to the imperial authorities.<sup>8</sup>

These consultations did, however, not constitute a formal recognition of Jewish communities as political entities. Like most European commonwealths of the period, Russian state authorities pursued a policy to curtail the autonomy of the individual community and the rabbinate. Thus, the dismantling of Jewish self-governance had started in the Polish-Lithuanian Commonwealth in 1764 with the abolition of the Council of Four Lands. Despite certain differences, this process was characteristic of all three partitions. In Russia, the process to establish a clear structure of political and administrative prerogatives to deal with the Jewish population and their communities would not come to an end until the end of the Empire itself.

The letter by Eliezer Dileon and Judah Zundel Zonenberg thus needs to be understood as a reflection of the attempts of Jewish deputies in this early period of Russian-Jewish history to influence the emerging constitutional and administrative framework. A preceding letter, from December 1816, offers some insights into the pre-history of the meeting between the Jewish deputies and

6 The early period of Russian-Jewish history has been studied frequently and intensely, starting with the first comprehensive accounts in S. Dubnow, *History of the Jews in Russia and Poland, from the Earliest Times to the Present Day* vol. 1 (Philadelphia 1916); Y. Gessen, *Istoria evreiskago naroda v Rossii. V dvuch tomach*, vol. 1 (Petrograd 1916); and I. Levitats, *The Jewish Community in Russia, 1772–1844* (New York 1943). Current authoritative assessments can be found in E. Lederhendler: *The Road to Modern Jewish Politics: Political Tradition and Political Reconstruction in the Jewish Community of Tsarist Russia* (Oxford 1989) and most comprehensively Minkina, *Syny Rahili*, passim.

7 For a comprehensive review of the *Polozhenie*, see Matthias Rest, *Die russische Judengesetzgebung von der ersten polnischen Teilung bis zum 'Polozhenie dlja evreev' (1804)* (Wiesbaden 1975).

8 Levitats, *Jewish Community*, 93.

the Tsar, much hampered by the fact that these deputies could not rely on the resources of an established metropolitan community.<sup>9</sup> The letter of January 23, 1817 is of much greater significance, as it is one of the very few examples of a comprehensive and first-hand account of an intercession between an appointed spokesman of a large Jewish community and the sovereign of an Empire. It also reflects the desire of the Jewish deputies to establish firm constitutional ground and recognition of the Jews of Russia.

Redacted on the very day of the meeting between the deputies and Tsar Alexander I, it reflects the high political stakes of these negotiations, as well as the great personal investment of Eliezer Dileon, the letter's author, in this process. It offers insights into the complex structure of political representation of a Jewish community still adjusting to a new constitutional setting after one generation of transformation and uncertainty, with the mandating communities and the deputies in the capital city engaged in a process of establishing procedures. The letter also reflects the emergence of a new hierarchy among the Jewish communities in the various provinces of the Russian Empire, with the deputy of Jewish communities in the Russian Empire also claiming the right to speak on behalf of the Jews in Poland.

### Eliezer Dileon (Late 1770s–1838)

The most comprehensive biography of Eliezer Dileon, the presumed author of the letter, was published as a chapter in Samuel Zitron's anecdotal review of Russian- and Polish-Jewish intercessors of the 19th and 20th century.<sup>10</sup> Zitron presents this merchant and army contractor as a lifelong intercessor on behalf of individual Jews and Jewish communities, and as a deputy of Russian Jewry to the Tsarist administration. Dileon features among the most prominent early deputies of Russian Jewry, emerging after the partitions of the Polish-Lithuanian Commonwealth and the war against Napoleon. Born in Nieśwież (Minsk district, today Belarus) in the late 1770s, Dileon died in Vilnius in 1838.

Dileon was the son of Barukh Bendet Dileon, a wealthy leaseholder and business partner of the Radziwills, a leading family of Polish-Lithuanian magnates. Dileon, who spoke Polish, Russian, and German, married the daughter

9 It was sent on December 11, 1816/21 Kislev 5577, see H.N. Magid (Shteynshneyder), *Tr Vilne. Zikhronot 'edat Yisra'el u-toledot hayei gedoleha* (Vilna 1900; reprint Jerusalem 2002) 149.

10 S.L. Zitron, *Shtadlonim. Interesante Idisher tipn fun noentn over* (Warsaw 1926/27) 125–137. Further anecdotal biographical information is contained in Magid, *Tr Vilne*, 146–148.

of a well-established Jewish family in Minsk. He successfully negotiated important contracts to provide goods to the Russian army during the military campaign against Napoleon in 1812.

Distinguishing himself as an exceptionally efficient army contractor, Dileon routinely travelled with the Russian high command, and was introduced to Tsar Alexander I in 1814. During this meeting – which took place in Bruchsal in southern Germany –, the emperor assured Dileon of his good-will towards the Jews of Russia, and proposed to establish a deputation of the Jews of Russia.<sup>11</sup> This deputation was supposed to ‘present itself in St. Petersburg, and there, in the name of the Jews living in the Empire, await and receive an expression of His Imperial will by an edict concerning their wishes and requests for the immediate amelioration of their present condition.’<sup>12</sup>

Already during the war against Napoleon, Dileon and other Jewish army contractors close to the imperial administration would frequently be asked to intercede as ad-hoc intercessors on behalf of Jewish communities. Anecdotes circulating among the Jews of Vilnius related that the Tsar and Dileon had established a personal relationship, and that the emperor also extended his personal protection to Dileon in later years, though both assumptions constitute tropes in the folklore around Jewish intercessors.<sup>13</sup> Dileon is said to have later been bankrupted, but he refused material support from the Minsk Jewish community. He died highly respected, but in poverty.<sup>14</sup>

### The Letter: Content and Structure

The letter starts out with an empathetic statement of success: ‘Today, we have become a people,’ to describe the reception by Alexander I in the imperial palace, underlining its actual occurrence and its uniqueness by adding the exact timing of the meeting. The authors then mention the gravamina the Jewish deputies submitted to the emperor: economic worries and calumnies,

11 Levitats, *Jewish Community*, 99; Magid, *‘Ir Vilne*, 146; Gessen, *Istoria*, 361, mentions a distinction awarded to Dileon on the occasion.

12 Levitats, *Jewish Community*, 99.

13 Several of the examples discussed in Zitron’s *Shtadlonim* refer to this kind of special relationship between intercessor and monarch, undoubtedly reflective of the importance attached to the ‘royal alliance,’ see e.g., an alleged visit of the Tsar to the ill Noter Notkin, the Jewish intercessor from Shklov (see below), p. 83, of a certain Reb Shloyme who meets Tsar Alexander I, p. 141; and a gift by the Tsar for Litman Feygin, p. 200.

14 Magid, *‘Ir Vilne*, 146, footnote, and 150 for the text of his tombstone in Vilnius; see also Zitron, *Shtadlonim*, 128 and 136.

as well as the Tsar's receptiveness towards them, and praises his unique role as a defender of the Jews. The letter relates that the Tsar ordered to have an official sent to the newly created Kingdom of Poland to investigate and handle the matter of ritual murder accusations that had arisen in the previous year. No mention is made in the letter of intercessions from the Kingdom itself on behalf of the accused, although these had taken place in various forms.<sup>15</sup> The Tsar also promised the non-enactment of recent legislation of the Governing Senate (Russ. *Pravitel'stviyushchii Senat*), which had worried Jewish communities. A major item was the appointment of Prince Aleksandr Golitsyn, a high-ranking member of the imperial administration, to function as exclusive liaison official on Jewish affairs.<sup>16</sup> This minister received his instructions on the very day of the meeting, and soon after distributed an imperial circular to provincial governors exhorting them not to follow up on false accusations 'without any evidence and purely as a result of the superstitious belief that they are in the need of Christian blood.'<sup>17</sup> The letter's authors stressed the high rank of this officer and distinguished his role from one of a mere governmental administration: the Jews would have permanent access to this minister, who in turn, would guarantee access to the Emperor at all times. He was also bound to 'always engage with us in a just and kind manner,' thus protecting the Jews from arbitrary government officials and from oppression of any sort, a representative of the benevolent attitude of the Tsar towards the Jews in the Empire.

The authors then went on to explain the Tsar's grievances and expectations and rhetorically agreed with him that certain deviations from orderly conduct were due to religious laxity: Many Jews had indeed left the path of righteousness and engaged in such unacceptable behavior as under-reporting births and thus avoiding paying their taxes. The Tsar announced that messengers would exhort all his subjects, including the Jews, to closely follow the precepts of their respective faiths, a core requirement for all those striving to be obedient subjects of a multi-religious empire. In the following paragraph, the authors fully embraced and reinforced this reasoning, harnessing the traditional talmudic

15 In Spring and Summer of 1816, Jews in the Kingdom of Poland were accused of ritual murder in three unrelated cases: in Kosyń, Siedlisczcze, and Tłuściec. Not long after the audience between Dileon, Zonenberg, and the Tsar in January 1817, Jews near the Lithuanian city of Grodno were accused of ritual murder, see J. Żyndul, *Kłamstwo krwi. Legenda mordu rytualnego na ziemiach polskich w XIX i XX wieku* (Warsaw 2011) 62–72.

16 Golitsyn was appointed Minister of Jewish Affairs in 1817. His career and assessment of the deputies' role would constitute the context of John D. Klier's reflection on Dileon's and Zonenberg's mission, see Klier, *Russia Gathers Her Jews*, 167.

17 Quoted after E. Avrutin, *The Velizh Affair: Blood Libel in a Russian Town* (Oxford 2018) 28.

precepts of legal principles for exilic communities, most importantly ‘The law of the land is law,’ for the fight against smuggling.<sup>18</sup> He also proposed the application of the ban against offenders, the seizure of smuggled goods and imposition of fines, as well as the administration of these seized goods through representatives of the Jewish community. It is unclear whether Dileon and Zonenberg actually assumed they would be able to execute such far-reaching measures against a widespread practice.<sup>19</sup> At the end of this paragraph, Dileon calls upon the Minsk *kahal* to extend the mandate and continue to pay him and Zonenberg an allowance. This indicates that the original mandate did not foresee a permanent Jewish deputation to the imperial court, soon appearing a necessity in the eyes of the two signatories. Such a broader mission corresponded to the well-established routine of assigning Jewish intercessors or *shtadlanim* the task of continuous presence at a court or tribunal, in return for a previously agreed amount of money covering a honorarium and expenses.<sup>20</sup> While this routine had existed in the Polish-Lithuanian Commonwealth for many generations, no such system was yet in place in Tsarist Russia.<sup>21</sup> This also results from the two concluding paragraphs, the first of which posits that a comprehensive representation of the emerging imperial Russian Jewish community required more than two spokespeople, and hence requested the delegation of two more.<sup>22</sup> The last paragraph expressed the hope that the Tsar would grant leave to Dileon and Zonenberg, who had already spent a considerable amount of time in the capital city.

### Reconfirming Traditional Intercession

The letter of Eliezer Dileon reflects an attempt to reassert traditional forms of intercession in a new political setting. The single most important indication for this is the emphatic first sentence of the missive – the ‘good tidings’

18 See G. Graff, *Separation of Church and State: Dina de-Malchuta Dina in Jewish Law, 1750–1848* (Tuscaloosa, AL 1985).

19 On international Jewish trade and the scope of smuggling in this transitional period, see Petrovsky-Shtern, *The Golden Age Shtetl*, 91–120.

20 S. Ury, ‘The *Shtadlan* of the Polish-Lithuanian Commonwealth: Noble Advocate or Unbridled Opportunist?’, in *Polin: Studies in Polish Jewry*, vol. 15: *Focusing on Jewish Religious Life, 1500–1900*, ed. A. Polonsky (Oxford 2002), 267–300, here 272.

21 Ury, ‘*Shtadlan*.’

22 As a matter of fact, between 1817 and 1825, the year of the abolition of the institution of Jewish deputies, six representatives of Russian Jewish communities would reside in St. Petersburg; Levitats, *Jewish Community*, 102.



of the day is the fact that the Jews of Russia 'have become a people' (Hebr. *ha-yom nehinu le-'am*). This formula at first seems rather surprising, as neither Dileon nor the recipients of the letter in Minsk would have doubted for a minute that the Jews as a community indeed constituted 'a people.' The term used in the letter, *'am*, was among the most common Hebrew terms to designate the Jewish community.

The question thus arises why Dileon made such an emphatic statement at the beginning of a report about this encounter with the Russian Tsar. It seems that the reason for this statement lies in the encounter itself. The initial exclamation serves as a positive introduction to the comprehensive discussion of the negotiations. Independently of the matters raised during the conversation with the Tsar, the fact that the Jewish deputies were received by the Emperor for negotiations appears in itself essential. Their reception in the imperial palace for negotiations pertaining to matters of relevance to the entire Jewish community in Russia reflected their status as spokespeople for this community, and stood – in the eyes of the authors of the letter – as a symbol of their community's recognition as an integral part of the imperial political fabric. Through the audience of their intercessors with the Emperor, the Jews in Russia as a collective – according to the letter discussed here defined in Jewish terms as a distinct nation, or *'am* – had become the Jews of Russia, and Dileon must have considered these negotiations as the fulfilment of the promise of a lasting arrangement made by the Tsar in Bruchsal the summer of 1814. It seems that the fact of being received in the imperial chambers – 'this fearsome place' – added significantly to the heightened sense of ceremonial and constitutional significance, and to the emphatic statement of the Jews having 'become a people' – not in the sense of a modern nation, but as a distinct collective among others constituting the political fabric of the Empire.

In this respect, Dileon's understanding of the negotiation with Alexander I amounts to what André Holenstein has termed a '*constitutio in actu*' – a creation of political realities, not through treatises, a written constitution, or codified legal procedures, but through the symbolic recognition in the form of an audience.<sup>23</sup> In contrast to other Jewish deputies, Dileon's and Zonenberg's negotiation strategy rested entirely on the establishment of a strong and meaningful relationship between the Jewish community represented by the

23 A. Holenstein, *Die Huldigung der Untertanen. Rechtskultur und Herrschaftsordnung* (800–1800) (Stuttgart/New York 1991) 505–518; and recently *idem*, 'Introduction: Empowering Interactions: Looking at State-building from Below,' in W. Blockmans, A. Holenstein, and J. Mathieu, eds., *Empowering Interactions: Political Cultures and the Emergence of the State in Europe 1300–1900* (Farnham 2009) 1–34.

intercessors on the one side and the sovereign on the other. This strategy strove for the establishment of an 'imperial alliance' offering hope for a high degree of security with a minimum of dependence from non-Jewish political and administrative entities. Dileon emphasizes the continuity of Jewish autonomy by invoking Jewish legal and judicial principles guaranteed through this autonomous status. This stood in contrast to strategies pursued by other Jewish deputies who would pursue an agenda of further legal and cultural integration into the societal and administrative fabric of the Russian Empire.<sup>24</sup>

The negotiation strategy as reflected in this remarkable letter addresses a number of matters its authors wanted the governing bodies of the leading Russian Jewish communities to deal with. With the *kahal* of Minsk functioning as a clearing house, Dileon and Zonenberg also argued in favor of a stronger commitment of these communities to the deputations themselves. It was one thing to identify deputies, yet another to provide them with the financial means to ensure a successful operation. Also, the deputies depended on a successful communication of the results of their negotiations to other communities. This appears more clearly from the closing paragraphs of the letter sent earlier, in December 1816:

In summary, you should send letters to all district capitals requesting [from the community leadership] to send delegates to me. The leaders of the provincial communities will then understand that you renewed my role. I have written to the community boards time and time again. If they do not come to help in good time all hope is lost, because one cannot achieve things by just writing.<sup>25</sup>

Provincial communities in Volhynia indeed proceeded to appoint such representatives. When Golitsyn received reports about communal assemblies identifying such delegates in Volhynia, he immediately ordered the local governors not to authorize such appointments.<sup>26</sup>

These recommendations reflect the fact that communication and reporting routines were still being developed at the time. Provincial community boards seemingly hesitated to fund the deputies in advance, and Dileon and Zonenberg had to rely on a confirmation of their activities through the *kahal*

24 See the account of D. Fishman, *Russia's First Modern Jews: The Jews of Shklov* (New York 1995) 90–91, of Nota Notkin's endeavours towards a gradual integration and ensuing emancipation of the Jews of Russia.

25 Maggid, *Tr Vilne*, 149.

26 Minkina, *Syny Rahili*, 159–160.

in Minsk. The material aspect of intercession is reflected in the confirmation in a post-scriptum of receipt of a payment over a thousand silver rubles from the *kahal*, which appeared sufficient for the immediate needs of their role as deputies.<sup>27</sup> In describing the technicalities of his intercessory efforts, Dileon seems to oscillate when characterizing his role. Mandated formally by the Minsk Jewish community – hence the address of the letter discussed here – his role as a deputy of the Jewish communities in Russia still evolved. In this respect, Zonenberg's and Dileon's meeting with the Tsar and its consequences reflect the emergence of a more diversified nature of Jewish intercession after the demise of former structures of self-governance (initiated in the Polish-Lithuanian Commonwealth by the abolition of the Council of Four Lands in 1764) and of former responsibilities and jurisdictions. Considering this evolving and *ad hoc* nature of Dileon's and Zonenberg's mission, it required a considerable degree of dedication and personal sacrifice, as the deputies emphasized in their letter.<sup>28</sup> On the other hand, and in contrast to the often highly circumscribed task of an *ad hoc shtadlan*, Dileon and Zonenberg clearly perceived their role as having a much grander calling, by establishing the Jewish community as part of the fabric of the Russian Empire once and for all.

A final observation concerns the ritual murder accusation in the Kingdom of Poland in 1816. As Jolanta Żyndul has recently shown, these extremely serious calumnies were brought to the attention of Tsar Alexander I quite shortly after they had been raised: the wife of one of the defendants, a low-ranking rabbi from the Lublin region, had succeeded in meeting the Emperor during his visit to Poland. The *kahl* of the Warsaw community had also intervened with the imperial administration.<sup>29</sup> Not only the Emperor, but also the Polish administration had dealt with the issue, as did the representative of the Tsar in the Kingdom of Poland, Józef Zajączek. It is possible although unlikely that Dileon and Zonenberg ignored these facts when meeting Alexander I in January 1817.

27 Minkina, *Syny Rahili*, 151.

28 On *ad hoc shtadlanim*, see Ury, 'Shtadlan,' 274–275; in this respect, the emergence of the Jewish deputies to the imperial court can be compared to the emergence of other prominent and leading figures in the Eastern European Jewish community, such as the spiritual leaders of Hasidic communities, the *tsaddikim*, many (if not most) of whom were in one way or the other functioning as intercessors for their congregation, or the Jewish community more widely. For an exemplary discussion of such a case at a later stage, see M. Wodziński, 'Hasidism, "shtadlanut", and Jewish Politics in Nineteenth-Century Poland: The Case of Isaac of Warka,' *Jewish Quarterly Review* 95, no. 2 (2005) 290–320.

29 Żyndul, *Kłamstwo krwi*, 70–73.

By raising this matter on this occasion, Dileon and Zonenberg expanded their responsibilities to also cover the Jews in the Kingdom of Poland.<sup>30</sup>

### Conclusion

The report by Eliezer Dileon about his encounter with Tsar Alexander I reflects on the attempts of a large Jewish community to consolidate its legal standing in a new political setting. The unsettledness of the Jews of Eastern Europe in this period stemmed from a variety of factors, the most important of which was the demise of the Polish-Lithuanian Commonwealth as a polity, uncertainties about the power relationships between Russian administration, landlords, and urban and rural populations, and the specific situation of Jews in this framework.

Dileon and Zonenberg drafted the letter about the negotiations with the Tsar immediately in the aftermath of what appeared to the Jewish deputies as a major political breakthrough - the establishment of a sustainable 'special relationship' with the Emperor and the integration of the Jews in Russia into the fabric of imperial administrative and political structure, a foundational moment of Russian Jewry. This is what constitutes the 'good tidings' of this letter. In the eyes of the Jewish deputies, at least a *status quo ante* result for their community had been achieved, consisting of a return to the constitutional certainties of the pre-partition and pre-war period. One could even go one step further: when factoring in the constitutional deficiencies and uncertainties of the pre-partition period and the significant strides towards dismantling Jewish self-governance, they had achieved an even grander negotiation success. The Tsar ruled without the constitutional impediment of an overbearing aristocracy, as had been the case in the Polish-Lithuanian Commonwealth. To have the Tsar's guarantees thus represented a significant improvement over the increasingly precarious situation of the Jews in 18th-century Poland-Lithuania. 'Today, we have become a people' seemed to embody this remarkable achievement, a *constitutio in actu* par excellence.

These expectations proved overly optimistic, as was demonstrated in the immediate aftermath of the audience, with Golitsyn intervening to halt unauthorized appointments of Jewish delegates. Russian legislation and

<sup>30</sup> The Tsarist administration observed the jurisdiction of the authorities in the formally independent Kingdom of Poland in this case by limiting its intervention in the matter to a letter by Prince Golitsyn with recommendations of the Tsar to his highest representative in the Kingdom, Nikolai Novosil'tsev; Żyndul, *Kłamstwo krwi*, 71.

administration of Jewish matters would oscillate between heavy-handed attempts to force a cultural and administrative integration of a restive Jewish community, a *laissez-faire* attitude dictated by the inability to exert full control over it, and comparatively harsh measures such as the ill-famed conscription of Jewish recruits, introduced by Nicholas I, the successor of Alexander I in 1827, a measure aimed at sending a strong signal to Russian Jews that the imperial administration would not hesitate to bear down on it if judged necessary.<sup>31</sup>

More importantly, despite the hopes of Dileon and Zonenberg, the Tsar would not turn out to be the steadfast supporter of the Jews in Russia, nor would the Jews enjoy unimpeded and certain access to the highest echelons of the imperial administrative elites. The complex history of consultation processes with rabbinical and government commissions notwithstanding, privileged access to ministers or administrators would become the domain of the emerging metropolitan Jewish elite of plutocrats, the ideas of which however did not necessarily match those of the communal leadership in the Pale of Settlement.<sup>32</sup>

### Eliezer Dileon and Judah Zundel Zonenberg to the *Kahal* of Minsk, January 23, 1817

Peace, blessing, God's Help and Comfort to our honorable brethren, friends, distinguished learned men, presidents, officers and praised leaders of the honorable Minsk community.

Today is a day of good tidings because with God's help, we became a people. Early yesterday evening, at 25 minutes to 7 we were honored to be called to the innermost of the residence of our Lord, the mighty, merciful and true Emperor, may his light shine. There, in this fearsome place we implored and begged for our soul and our nation<sup>33</sup> to the 40th minute to 8, discussing at length all the details of all the needs of our people. We deliberated about our livelihood and the economy and then also about the empty and false accusations which have arisen against us to destroy us. I will elucidate all which the brevity of the letter does [not] contain.

31 Y. Petrovsky-Shtern, *Jews in the Russian Army, 1827–1917* (Cambridge 2009); M. Stanislawski, *Tsar Nicholas I and the Jews: The Transformation of Jewish Society in Russia, 1825–1855* (Philadelphia 1983); Lederhendler, *Road to Modern Jewish Politics*, 36–56, esp. 55–56.

32 On this, see e.g. B. Nathans, *Beyond the Pale: The Jewish Encounter with Late Imperial Russia* (Berkeley/Los Angeles 2002).

33 Esther 7:3.

And if our mouth would be full of songs we would not know how to describe the mercy and lovingkindness which our Lord, the Emperor, may his light shine, has shown us. He has been blessed by the Lord, and honors us with his charity. He will always have mercy on our downtrodden and disheartened fold, and no-one but the Emperor will have mercy on all Jews.

I will report the heart of the matter of my intercession, in short. He assured us to promptly send an officer to the Province of Warsaw in the matter of calumnies which was raised there against Jews in Meseritsch, Lublin, and some other communities. And he has also promised to prevent the enactment [of a law against us] which the Governing Senate [from French: *Souverain Senat*] had already prepared, woe to us.

And in his great mercy and lovingkindness he decreed<sup>34</sup> to install a minister and that all matters concerning the Jews will not be heard by any other government [Hebr. *memshalah*] or court, only by this eminent person who will take us under the protection of his wings. All matters pertaining to the Jews will be conveyed to him and ruled by him, and he will always inquire about them with us in writing and in person. He will also bring our matters to the attention [literally: to the dwelling] of our Lord, the Emperor, may his light shine, and will offer us access to our Lord, the Emperor, may his light shine, at any time it proves necessary. We were privileged to also hear from the holy mouth of our Lord, the Emperor, may his light shine, that this above-mentioned Sir is an honorable and conscientious person, and we received assurances that he will exhort this man to always engage with us in a just and kind manner.

All this our Lord, the Emperor, may his light shine, will convey to this Minister this morning, and he ordered us to meet him this afternoon and to tell him that we are the Jews with whom he had spoken. He also assured us that we will be honored to be received by him whenever the need arises, and that [the Minister] will protect all brethren in Israel from oppression.

To our great sorrow and bitterness, we had to listen to words of reprimand from the holy lips of our Lord, the Emperor, may his light shine. He reproached our brethren, sons of Israel, not to follow the just path of the law, as some Jews hold our Holy Law and its rules which we are held to follow [Hebr. *huqei ha-shem u-mitzvotav kefi she-hizhiru otanu toratenu ha-qedoshah*] in disregard, and commit great crimes, such as hiding the number of souls born in their communities. He will send officers to all

34 Esther 4:3, Esther 9:1.

lands and districts<sup>35</sup> and to large and small towns, and request that men and women are obliged to observe the rules of their faith [Hebr. *She-kol ish u-ishah yishmeru datam u-emunatam kefi she-metzaveh be-toratam*], and that they should keep their hope in God and pray to the creator, as it is his [the Emperor's] will that all nations should keep their law as it was dictated to them, and that promptly all wrongdoings and all offences against the law [from Russ. *zakon*] will cease.

Brethren and friends, woe unto us! Could anyone believe that among a people so faithful to His Majesty the Emperor, as are the Jews, there are unworthy creatures who deal in contraband? For the practice is contrary to the ordinances of our Holy Law, which says, 'Observe the ordinance of the King' and 'the Law of the Land is the Law' and also 'he who evades custom duty is unworthy to be a witness' – woe and woe, is there no balm in Gilead?<sup>36</sup> Hasten to take up all shofar horns and go to all the Jews' settlements and warn that all those who dare to trade in contraband will be excommunicated [Hebr. *herem gadol*]. And if you learn of contraband which stems from earlier periods, let us know and we will plead with our Lord, the Emperor, may his light shine, to authorize us to seize these goods, to request payment of an appropriate fine, and to ensure that no Jew in future will trade in forbidden merchandise and disobey the law. We convey this request in the name of our Lord, the Emperor, may his light shine, and you have to do your utmost to protect the law.

Dear brethren and friends! We will continue to defend the interests of the Jews, as is fitting for deputies to our Lord, the Emperor, may his light shine. You, however, in our communities, young and old, you should pray and implore God to show mercy to our brethren and ensure the benevolence of Ministers and of our Lord, the Emperor, may his light shine. And you have to bear in mind that our existence in this great city is burdensome, especially if charged with such responsibility. We require the means to feed our families, and to pay for our own expenses, even though our activities would deserve a much higher compensation than we ask for. Consider that we have left wives, children, and home behind on behalf of our pursuits.

Brethren and friends! You know that it is the will of our Lord, the Emperor, may his light shine, that there should always be two delegates from among us [Hebr. *nivharim me'otanu*] under his authority who may speak to him and convey him the needs of our brethren. But how could

35 Esther 8:17.

36 Jer. 8:22.

one conceive that only two men can carry this weight? Therefore, we urge you to send two new delegates entrusted to take care of the matters of the Jews.

We are asked to stay here for two more months to ensure all matters of the Jews are well taken care of. We will then ask leave from our Lord, the Emperor, may his light shine, in order to return home for our good fortune, and we pray that he will welcome the new delegates who will come and replace us with lovingkindness and mercy.

Rav Eliezer Dileon from Nieshviezh

Judah Zundel

Today we received one thousand silver rubles, the returns of which will serve us with our future entreaties.