
HAROLD FREDERIC

A People That Dwells Apart¹

once you cross the Russian frontier, you can
all the Jews at railway stations or on the
meet almost as easily as in America you can
distinguish the Negroes. This is more a mat-
ter of dress—of hair and beard and cap and
features—than of physiognomy. But even
more still is it a matter of demeanour. They
never for an instant to lose the con-

sciousness that they are a race apart. It is in
their walk, in their sidelong glance, in the
carriage of their sloping shoulders, in the
curious gesture with the uplifted palm.
[Czar] Nicholas [the First] . . . solidified [the
Jews] into a dense, hardbaked and endlessly
resistant mass.

NOTE

1. Harold Frederic (1856-1898), London repre-
sentative of the *New York Times*. Frederic traveled
Russia in the 1880s on an assignment. A book on
the plight of the Jews under the czars, *The New
Exodus*, from which this excerpt is taken, emerged

from that journey. The title we have given to this
selection refers to Num. 23:9: "There is a people
that dwells apart. Not reckoned among the na-
tions."

Source: Harold Frederic, *The New Exodus: Israel in Russia* (London, 1892), pp. 79-80.

ALEXANDER I

Statutes Concerning the Organization of Jews (December 9, 1804)¹

merous complaints have been submitted
regarding the abuse and exploitation of
peasants, farmers and laborers in those prov-
inces in which the Jews are permitted to
reside. . . . The following regulations are in-
tended both with our concern with the true
welfare of the Jews and with the needs of
the principal inhabitants of those prov-
inces. . . .

I. Education and Language.

1. Jewish children may study in all the
public schools, secondary schools and uni-
versities in Russia, on equal terms with other
children.

2. Jewish pupils will neither be required to
renounce their religion nor will they be com-
pelled to study subjects which are contrary to
their religion. . . .

Source: P. Levanda, *Polnyi khronologicheskii sbornik zakonov i polozhenii kasaiushchikhsia evreev* [Complete
chronological collection of laws and ordinances relating to Jews] (St. Petersburg, 1874), pp. 53-59. Trans.
by R. Weiss.

6. If the Jews refuse, despite all these encouragements, to send their children to public schools, special schools must be built at their expense. For this purpose a special tax will be levied. The study of either Polish, Russian or German *must* be included in the curriculum. . . .

8. All the Jews residing in the Russian Empire, although free to use their native language in all their religious and domestic affairs, are obliged, as of January 1807, to use the Russian, Polish or German language in all public documents, contracts, and bills of sale. Otherwise these documents will not be registered. . . .

In accordance with these regulations, Jews who are elected as members of the municipal councils in the former Polish province, shall, for the sake of order and uniformity, dress in the Russian or Polish fashion; whereas Jews elected to the municipal councils in those Russian provinces in which they are permitted to reside permanently, shall dress in the German fashion. As of the year 1808, a Jew who cannot read and write either Russian, German or Polish, may not be elected to the municipal councils. . . .

10. As of the year 1812, a person who is not literate in one of the previously mentioned languages, may not be appointed to a communal position or to the rabbinate.

II. The Status, Occupations and Rights of the Jews.

11. All the Jews are divided into four classes: (a) farmers, (b) manufacturers and craftsmen, (c) merchants and (d) city dwellers. . . .

13. Jews who are farmers, as well as those who are manufacturers, craftsmen, merchants and city dwellers, are allowed to purchase and own property in the unpopulated areas of the provinces of Lithuania, Belorussia, Little Russia, Kiev, Minsk, Volhynia, Podolia, Astrakhan, Caucasus, Ekaterinoslav, Kherson and Tsabaria. They may sell the land, lease it, bequeath it or bestow it as a gift. . . .

18. No Jew will be compelled to engage in

agriculture in the aforementioned provinces but those who do, shall be exempt from payment of taxes for a period of ten years. This exemption, however, does not extend to debts related to the purchase of land. They will receive loans which will be repayable after a few years, on terms under which similar loans are given to settlers from abroad. . . .

20. Jews are permitted to establish factories of all kinds, in those provinces in which they are permitted to settle, with the same freedom and on the same basis as that granted to all subjects of Russia. . . .

23. In the aforementioned provinces, Jewish craftsmen may engage in any craft not prohibited by law. Managers of workshops, or organizations of craftsmen may not interfere in their rights. They [i.e., Jews] are permitted to register as members of a craftsmen's association if it is not in conflict with local regulations. . . .

29. When all the Jews shall evince diligence and industry in agriculture, commerce and manufacturing, the government will take steps to equalize their taxes to those of other Russian citizens.

III. The Duties of the Jews According to Their Aforementioned Class.

30. If he is not registered in one of these classes, a Jew will not be tolerated anywhere in Russia. Jews who will not present a written document in standard legal form, certifying their membership in a class will be regarded as vagrants and will be treated according to the full severity of the law. . . .

34. As of January 1, 1807, in Astrakhan, the Caucasus, Little Russia and New Russia, and the other provinces mentioned, no Jew is permitted to hold rented property in any village or settlement. They may not own taverns, pubs or inns, either in their own name or in that of a monitor. . . .

IV. The Legal Status of Jews.

44. . . . No persons may coerce [the Jews], or disturb them in matters of their religious practice, and in civilian life generally, either in word or in deed. Their complaints, what-

ever they may be, will be heard before the courts and will be satisfied according to the

strict letter of the law as it applies to all the citizens of Russia. . . .

NOTE

1. From the sixteenth century on, the czars sought to expel and bar the Jews from Russia. As a result of the various partitions of Poland, by which Russia inherited a Jewish population of some nine hundred thousand, this policy was no longer realistic. The czars felt that their new subjects presented a grave problem that required a radical solution. Catherine II, who ascended the throne in 1762, was the first to tackle the "Jewish Problem." In 1772 the czarina enacted legislation that limited the exercise of the rights granted the Jews under Polish rule to the areas in which they lived prior to the partitions; Polish Gentiles were specifically permitted, by the same legislation, to exercise their former rights throughout the Russian Empire. A decree of 1791 barred the Jews from specific areas in the empire. Thus the Pale of Jewish Settlement

began to take shape. Alexander I, who reigned from 1801 to 1825, resolved to find a "humane" solution to the Jewish problem. In 1802 he ordered the creation of a Committee for the Amelioration of the Jews, to consider all aspects of the problem. In their deliberations the committee assumed that the Jews were a parasitic element and that the non-Jewish population, especially the peasants of the territories that formerly belonged to Poland, had to be protected from the already rapacious Jews. The committee's proposals—a mixture of restrictions and "liberal" inducements to Jewish self-improvement—were accepted by the czar and embodied in the above legislation, enacted on December 9, 1804. It was the first comprehensive Russian legislation dealing with the Jewish problem.

NICHOLAS I

3. Statutes Regarding the Military Service of Jews (August 26, 1827)¹

I. General Rules Applying to the Jewish People.

1. Upon being called to military service, Jews shall fulfill their obligation in a manner identical to that of other citizens who are members of that class which is required to serve in the armed forces. . . .

II. Manner of Fulfilling Military Draft Obligations.

6. If, at the time of the call to service, it is generally permitted to substitute a sum of money for a recruit, this privilege shall be

extended to Jews under the following conditions: (a) The Jewish community owes no back taxes to the government; (b) The community is not in debt to other communities or individuals. . . .

8. Jews presented by the community for the purpose of military service must be younger than twelve and no older than twenty-five years of age. . . .

[III.] 13. The Jews of each province must fulfill their quota of recruits independently of the Gentile population thereof. . . .

Source: P. Levanda, *Polnyi khronologicheskii sbornik zakonov i polozhenii, kasaiuschikhsia evreev* [Complete chronological collection of laws and ordinances relating to Jews] (St. Petersburg, 1874), pp. 193-200. Translated here by R. Weiss.

[V.] 24. The responsibility for fulfilling the military obligations falls upon the Jewish communities themselves. They shall follow the dictates of the appropriate provincial authority. . . .

Exemptions:

58. In addition to merchants, rabbis also are exempt from military service. They must show proper documents proving their title. . . .

62. Jewish youths who are enrolled in general schools for a minimum of three years and who perform adequately and those apprenticed to Gentile artisans are exempt from military service for the duration of their studies. . . .

64. Jews who have settled and who work upon land designated for agricultural purposes are exempt. . . .

X. The Assignment of Jews to Various Branches of the Military.

NOTE

1. The reign of Czar Nicholas I (1825-1855) is a dark chapter in the history of Russian Jewry. The above legislation is indicative of his policy to solve the Jewish problem through coerced assimilation or Russification. In addition to a general conscription of Jewish adult males, who served for a period of twenty-five years, the legislation decreed the recruitment of Jewish boys from the ages of twelve to eighteen as cantonists (the Russian term for *juvenile conscripts*). The cantonists underwent a tough regime of military drill and Russian education; at the age of eighteen they were drafted to the regular army where they served the full twenty-five-year term. The objective of this system was to alienate the Jewish youth from their families and

74. Jewish minors—those under 18—shall be sent to preparatory institutions for military training [i.e., cantonist units].

75. Jews from the age of eighteen and upwards shall be assigned to active military duty according to their physical condition, as ordered by the military command.

XI. Jews Evading the Draft.

87. Whoever discloses the names of those who hide a Jew escaping the draft, shall receive a reward in the sum of one hundred rubles from the treasury. . . .

90. For the purpose of release from the draft, only time spent in active duty after the age of eighteen shall be taken into account.

91. Jews in active military duty are permitted to observe their religious customs during their *spare time*. This is in accordance with the law of the land concerning accepted religions. Commanding officers shall protect the Jews from disturbances or abuses which may be caused by their religious affiliation.

religion; they were forbidden to practice Judaism, speak their native Yiddish and were obliged to attend classes in Christian dogma and ritual. The government imposed on the Jewish communal leaders the task of supplying a quota of cantonists. To meet this quota the leaders—often rabbis—were obliged to dispatch *khapers* (Yiddish for “kidnappers”) to seize Jewish children, often as young as eight, from their parents. Needless to say, this institution weakened the moral authority of the traditional leadership—precisely what the government desired. Before the law was rescinded in 1859, it is estimated that between forty and fifty thousand Jewish minors were conscripted into cantonist units.

NICHOLAS I

4. Delineation of the Pale of Settlement (April 1835)¹

3. A permanent residence is permitted to the Jews: (a) In the provinces: Grodno, Vilna, Volhynia, Podolia, Minsk, Ekaterinoslav. (b) In the districts: Bessarabia, Bialystok.

4. In addition to the provinces and districts listed in the preceding section, a permanent residence is permitted to the Jews, with the following restrictions: (a) in Kiev province, with the exception of the provincial capital, Kiev; (b) in Kherson province, with the exception of the city of Nikolaev; (c) in Tavaria province, with the exception of the city of Sebastopol; (d) in Mogilev and Vitebsk provinces, except in the villages; (e) in Chernigov and Poltava provinces, but not within the government and Cossack villages, where the expulsion of the Jews has already been completed; (f) in Courland province permanent residence is permitted only to those Jews who have been registered until the present date with their families in census lists. Entry for the purpose of settlement is forbidden to the

NOTE

1. The above legislation clearly defined the boundaries of the Pale of Settlement; it included regions beyond those of Poland only in such instances where the Jews could serve as a colonizing element. From time to time its boundaries were modified, but on the average the area of the Pale covered one million square kilometers (386,100 square miles), extending from the Baltic Sea to the

Jews from other provinces; (g) in Lithland province, in the city of Riga and the suburb Shlok, with the same restrictions as those applying in Courland province. . . .

11. Jews who have gone abroad without a legal exit-permit are deprived of Russian citizenship and not permitted to return to Russia.

12. Within the general area of settlement and in every place where the Jews are permitted permanent residence, they are allowed not only to move from place to place and to settle in accordance with the general regulations, but also to acquire real estate of all kinds with the exception of inhabited estates, the ownership of which is strictly forbidden to Jews. . . .

23. Every Jew must be registered according to the law in one of the legal estates of the realm. Any Jew not complying with this regulation will be treated as a vagrant.

Black Sea. By 1897, according to an official census, 4,899,300 Jews lived there, forming 11.6 percent of the general population of the area; 82 percent of the Jews lived in towns and villages. They formed 36.9 percent of the urban population. After the February Revolution (1917), the provisional government abolished the Pale of Settlement.

Source: P. Levanda, *Polnyi khronologicheskii sbornik zakonov i polozhenii kasaiuschikhksia evreev* [Complete chronological collection of laws and ordinances relating to Jews] (St. Petersburg, 1874), pp. 360-63. Trans. here by L. Sachs.

ALEXANDER III

5. The May Laws (May 3, 1882)¹

The Council of Ministers, having heard the presentation made by the Minister of Internal Affairs, regarding the execution of the Temporary Regulations regarding the Jews has concluded as follows:

1. As a temporary measure, and until a general re-examination of the laws pertaining to the Jews takes place by set order, it is henceforth forbidden for Jews to settle outside the cities and townships. Existing Jewish settlements which are engaged in agricultural work are exempted [from this ban].

2. The registration of property and mort-

gages in the name of Jews is to be halted temporarily; the approval of the leasing by Jews of real estate beyond the precincts of the cities and townships is also to be halted temporarily. Jews are also prohibited from administering such properties.

3. It is forbidden for Jews to engage in commerce on Sundays and Christian holidays. . . .

4. The regulations contained in paragraphs one through three apply to those provinces in which the Jews permanently reside.

NOTE

1. Alexander II, who reigned from 1855 to 1881, adopted a milder Jewish policy than his father, pursuing the Russification of the Jews in a more liberal fashion. He abolished the cantonist system and offered special rewards for "useful" Jews, namely, allowing them to reside outside of the Pale of Settlement. This right was extended to wealthy merchants in 1859, university graduates in 1861, and certified craftsmen and all medical personnel in 1865. The Jewish communities outside of the Pale, which developed in this period, particularly in Moscow and St. Petersburg, became a major factor in Russian Jewish life. Moreover, a great number of Jews now began to participate in Russian intellectual and cultural life. The assassination of Alexander II by revolutionaries in March 1881

led to a sudden shift in Jewish fortunes. In the period of political unrest that followed, widespread pogroms against the Jews broke out. Czar Alexander III set up a commission to investigate the cause of the disturbances. In its report the commission underscored the alleged failure of the liberal policies of Alexander II and pointed to "Jewish exploitation" as the principal cause of the pogroms. Based on this report, the Temporary Laws were promulgated in May 1882. Excerpts from these so-called May Laws are presented above. In effect they constituted a contraction of the Pale of Settlement. They were repealed in March 1917 by the revolutionary provisional government.

Source: *Nedel'naya kronika voshoda*, no. 20 (May 15, 1882), pp. 534-35. Trans. here by R. Weiss.