

Structures of Opportunity and the Impact of Repression: Migration and the Emergence of the Ashkenazi Diaspora in Eastern Europe

by Christoph Cluse

The Problem

The three centuries between c. 1300 and c. 1600 CE were a time of great upheaval in the Jewish world of Ashkenaz. The profound changes, largely brought about by outside factors, changed the Jewish landscape of Central Europe. The Jewish settlements and communities that had emerged in the German Kingdom since the tenth century were disrupted by large-scale persecution since the late-thirteenth century. These persecutions reached an horrific climax at the time of the ‘Black Death’ between 1348 and 1350. From the late-fourteenth through the mid-sixteenth centuries, expulsions brought about the end for most of the urban Jewish communities. From around 1600 and especially after the Thirty Years’ War, the outlines of a new situation in the Empire and its territories begin to emerge. Thus, for example, the contours of early modern Jewish settlement on the countryside can be traced. At the same time, organized Jewish communities appear in Central and Eastern Europe, especially in Poland (later, Poland-Lithuania). The history of the intervening period of disruption and upheaval is characterized by various processes of coping, adaptation, and transformation on the individual and collective levels.¹

The options available to Jews and the scope of their agency in these contexts are as yet not well-known in detail. However, existing research tends to describe the migration movements of the period as movements of displacement and exile. In his *History of the Jews in Cracow and Kazimierz*, the eminent Jewish historian, Majer Bałaban (d. in 1942 in the Warsaw Ghetto) set the tone by ascribing the responsibility of Jewish movements to

Poland to the Crusades from 1096 [!] and generally, to persecution. He ascribes much responsibility to the pogroms of the Black Death period, claiming that the towns of Silesia and, in particular, the cities of Poznań, Kalisz, and Cracow were filled with refugees.² Bałaban’s narrative was adopted by many later scholars. The summary given by Haim Hillel Ben-Sasson in his article on ‘Poland’ for the *Encyclopaedia Judaica* of 1970 is quite representative:

They [= the Jews] also had compelling reasons stemming from the circumstances of their life in Western and Central Europe to leave their homes there and go to Poland-Lithuania. Their insecure position in this region was a compound of the atmosphere of fear and danger generated by the Crusades, the insecurity of settlement caused by the expulsions, the wave of massacres in Germany in particular between 1298 and 1348 [...], the insecurity and popular hatred in Germany and German-Bohemian-Moravian towns in the second half of the 14th century and the first half of the 15th, the tensions and dangers created by the Hussite revolution and wars in Bohemia-Moravia and southern Germany in the early 15th century, and the worsening situation of Jews in the kingdoms of Christian Spain after the massacres of 1391. All these factors, combined with the success of the settlers in Poland-Lithuania, induced a large and variegated group of Jewish immigrants from various countries—Bohemia-Moravia, Germany, Italy, Spain, from colonies in the Crimea—to go to Poland-Lithuania long after the original German drive had died out.

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² Majer Bałaban, *Historja Żydów w Krakowie i na Kazimierzu, 1304–1868*, 2 vols (Cracow: Nadzieja, 1931–36), vol. I, pp. 4–5 and 9–11.

This account was taken over almost without change in the *Encyclopaedia's* new edition of 2006.³ Characteristically, the twelfth to fifteenth centuries in Western and Central Europe are summarized as a time of persecution. Ben-Sasson clearly distinguished these *push* factors from *pull* factors such as the 'success of the settlers'. Many historians have also subsumed the privileges extended by the kings of Poland—especially the 'Statutes of Kalisz' of 1264 and their confirmation by King Casimir the Great in 1334—under these *pull* factors.

This overarching narrative, which above all helped to explain the demographic expansion of Jewish population in Poland and Lithuania over the fifteenth to seventeenth centuries, has recently come under criticism from various sides. On the one hand, scholars have speculated that there must have been other factors at work, independent from western immigration and long before it, to explain the demographic strength of Early Modern Jewry in Eastern Europe. Theories of, variously, large-scale immigration from the Crimean or of large numbers of converts to Judaism were advanced. In this context, the 'Khazar theory' has wrought much confusion. Linguistic arguments were listed regarding the characteristics of Yiddish in Eastern Europe—arguments, it must be said, that have failed the test of more serious research such as that conducted by Alexander Beider. Even DNA analyses were enlisted to support claims of close genealogical links between Ashkenazi Jews and the Slavic populations in view of the 'conversion' theory. What they bear out, however, is rather a small population of 'founding parents'.⁴

At the same time, scholars have pointed out that there is much to say against an all-too close relationship between persecution and migration. Thus, Shaul Stampfer has reminded us that escape from imminent violence is mostly a thing of short distances—to the next place in the vicinity deemed safe enough. He also argues that there is no indication in the sources of Jews migrating *en masse* in the later medieval period. At any rate, migration generally takes on other forms, namely, of movement on a regional scale and by individuals or families. In this context, he also refers to the cultural similarities

shared by the Ashkenazi Jews of Silesia and Poland and those of the Eastern areas of the Empire, of Austria, and of Bohemia and Moravia. The multiplication of Jewish population in Poland and later in Lithuania, he argues, may just as well be explained in terms of 'natural growth', meaning the exponential effect of a yearly growth rate of 1.7 per cent, only slightly higher than that of the surrounding Christian population.⁵

The present essay is meant as a further contribution to this ongoing discussion. Section 1 starts out from the disruptive events of the late-thirteenth to mid-fourteenth centuries, graphically represented in the maps published by the *Arye Maimon Institute* of Trier University in 2002 for the western parts of the German Kingdom. I will try to show that these maps (and their eastward extensions) provide no evidence for a significant emigration movement in the wake of the said persecutions. Indeed, they show that there was a strong tendency to remain in the region and restart afresh time after time.

Section 2 will highlight some of the historical developments that distinguished the Jewish communities in the western regions of Germany from those in the East. In this regard the communities of Magdeburg and Regensburg apparently played a special role. These communities, for their part, had much in common with those in East-Central Europe.

Section 3 will therefore propose to speak of 'structures of opportunity' as opposed to *push* and *pull* factors, arguing that these structures—the progressing urbanization in Central Europe and the concomitant spread of 'Saxonian' law and 'Magedburg' town laws—provide the framework for the early, slow expansion of Jewish life into Eastern Europe around 1400.

By contrast, section 4 will show that the expulsions of the fifteenth and sixteenth centuries indeed had a major impact, prompting numerous Jewish individuals and families to migrate eastwards. It is up to future research to assess this impact both on its personal level as well as on its significance for the rise of the Jewish communities in Poland.

³ Haim Hillel Ben-Sasson, 'Poland', in *Encyclopaedia Judaica*, 2nd edn, ed. by Fred Skolnik, vol. XVI, Pes – Qu (Detroit, etc.: Thomson Gale, 2006), pp. 288–300, at p. 289.

⁴ Shaul Stampfer, 'Violence and the Migration of Ashkenazi Jews to Eastern Europe', in *Jews in the East European Borderlands: Essays in Honor of John D. Klier*, ed. by Eugene Avrutin and Harriet Murav (Boston, MA: Academic Studies Press, 2012), pp. 127–46. For a similar, earlier critique of the myths of origin and

historiographic constructions, see Bernard D. Weinryb, 'The Beginnings of East-European Jewry in Legend and Historiography', in *Studies and Essays in Honor of Abraham A. Neuman*, ed. by Meir Ben-Horin, Bernard D. Weinryb and Solomon Zeitlin (Leiden: Brill, 1962), pp. 445–502. For Eastern Yiddish see Alexander Beider, *Origins of Yiddish Dialects* (Oxford: Oxford University Press, 2015).

⁵ Stampfer, 'Violence' (as in n. 4), p. 134.

1. Disruption and Resiliente: Jewish Settlement in the South-West of the German Kingdom, c.1200 to c.1400

The editors of the historical atlas of Jewish settlement (Haverkamp et al. 2002) have divided the large geographical area between the North Sea and the south-western Alps region into five sections, and the chronology into steps of fifty years each. The periodization is largely in line with the sequence of disruptive events in German-Jewish medieval history, with the First Crusade (1096) marking the close of the eleventh century, the ‘Rintfleisch’ persecution (1298) that of the thirteenth, and the Black Death that of the first half century following.⁶

For the present purpose, a look at the geographical section containing the upper Rhineland and adjacent regions is most rewarding, for it includes the venerable *ShUM* communities (Mainz, Worms, and Speyer) as well as the major settlements in a number of other cathedral cities (Trier, Würzburg, Strasbourg, Augsburg, Basle, Constance) and royal boroughs (Frankfurt, Nuremberg, Rothenburg, etc.). By the first half of the thirteenth century, Jews were present in all of these towns and cities, and such was the situation that prevailed for a long time. The second half of the thirteenth century saw the expansion of Jewish settlement to a large number of other places housing at least a few Jewish individuals or families for some time. The greatest density of Jewish settlement, only to be surpassed in modern times, was then reached in the first half of the fourteenth century. Map 1, assembled by Jörg R. Müller, represents the situation of the late-thirteenth to mid-fourteenth century.

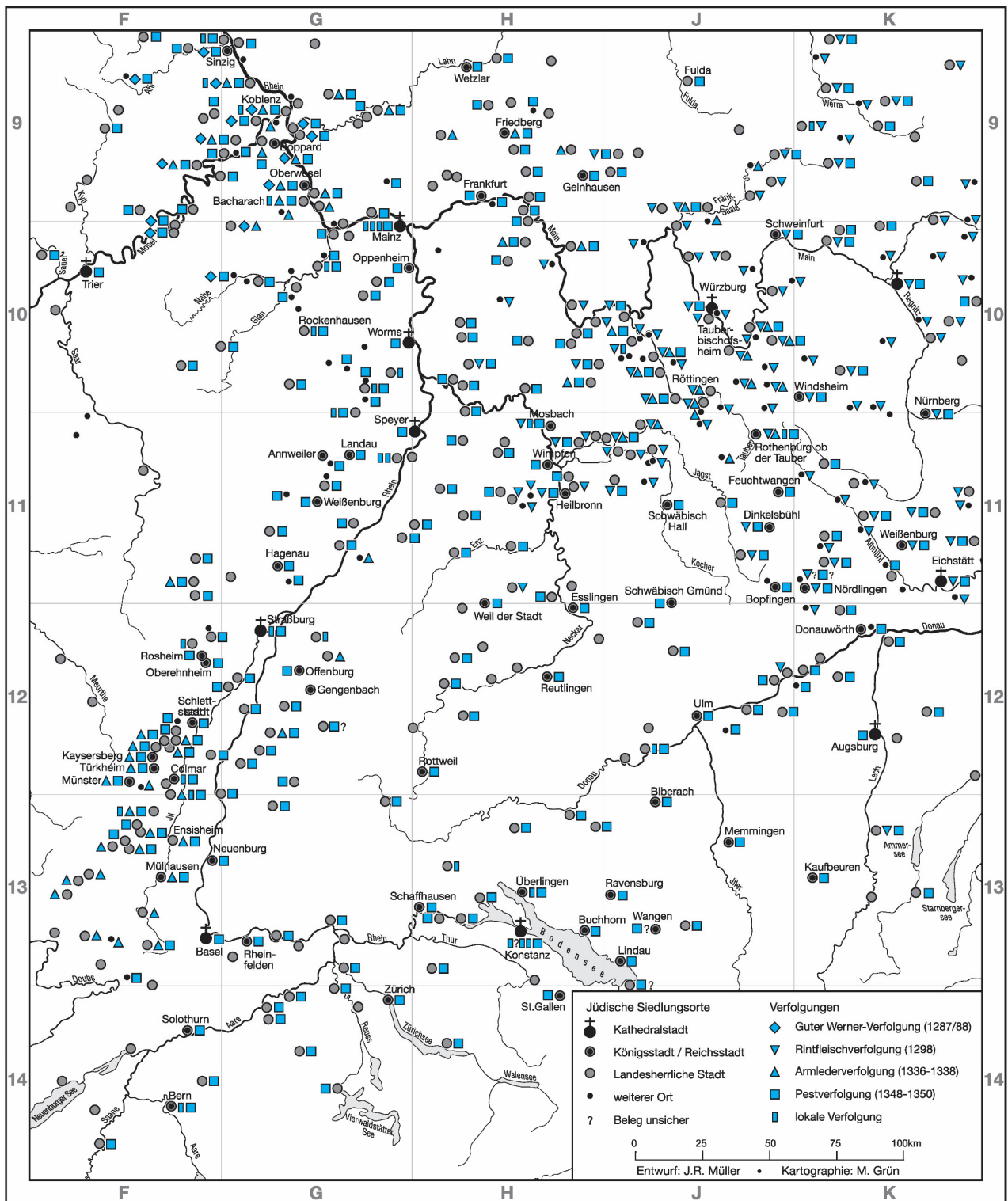
Two things need to be kept in mind. The first is that by no means all dots on the map represent a Jewish ‘community’. Our search for the signs of Jewish community organization rather revealed that the basic structure was still that of the early thirteenth century, with proper communities in the major towns and cities at the centre and a plethora of small settlements in the surroundings, many of which probably were home to no more than one or two Jewish households. A community, in this context, required certain central features. The sources show that the synagogue was one of them. By and large, however, only those Jewish settlements were classed as ‘communities’—*communitas* or *universitas* in Latin, *gemain der juden* in German, *qahal* or *qehilla* in

Hebrew—that featured a Jewish cemetery. Acquiring the grounds for a cemetery in perpetuity was, after all, a matter of some consequence, and only the major communities were able to afford it and look after its upkeep. On closer inspection, it emerges that the *qehillot* with a cemetery were the central hubs where Jewish families of the surrounding small towns congregated for the High Holidays in autumn, and it is no coincidence that Jewish courts would sit in judgment here. Often they would also be the places where the tax for the king was collected. The Hebrew *Memorbooks* recording the victims of persecution, notably those of Nuremberg and Deutz, distinguish between ‘communities’ (*qehillot*) and ‘settlements’ (*yeshuvim*), and some Jewish sources speak of ‘countries’ or ‘districts’ (*medinot*).⁷

The second point relates to the extent in which the maps, drawing on both Christian chronicles and Jewish martyrology, reflect the persecutions of the second half of the thirteenth to the mid-fourteenth centuries. In fact, many of the settlements represented in map 1 would have remained unknown to us had it not been for the documentation produced in the wake of the violence. The greatest extension of Jewish settlement in the South-West of the German Kingdom coincides with the worst waves of persecution Jews ever suffered before the Shoah. The violence came in a veritable cascade of events lasting from the last third of the thirteenth century down to the middle of the fourteenth. Not disregarding some local events of the time, it was the regional persecutions starting in 1287 that were most consequential: that year saw the Jews in the central Rhine region being killed on a massive scale following allegations of ritual murder and the cult of ‘Good Werner’ of Oberwesel. Starting in Franconia in 1298, a kind of popular crusade under a leader called ‘King Rintfleisch’ saw bands of peasants and lesser noblemen going from one place to the next to slay Jews. This new type of anti-Jewish violence continued into the early fourteenth centuries. One generation later, between 1336 and 1338, and again starting in Franconia, bands of ‘Jew-slayers’ spread into the Rhineland as far as the Alsace region under one or several self-styled ‘kings’ named ‘Armleder’. Also in 1338, persecutions unfolded around Deggen-dorf (Bavaria) and Pulkau (Lower Austria). All this was

⁶ Alfred Haverkamp, ed., *Geschichte der Juden im Mittelalter von der Nordsee bis zu den Südalpen*, Forschungen zur Geschichte der Juden, A 14, 3 vols (Hannover: Hahn, 2002), vol. I, pp. 189–222 (J. R. Müller), and vol. III, map sequence C (‘Verfolgungen und Vertreibungen’).

⁷ Cf. Haverkamp, ed., *Geschichte* (as in n. 6), vol. I, pp. 293–366 (R. J. Barzen), and vol. III, map series B (‘Kultisch-kulturelle Ausstattung’).



map 1: Persecution of Jews in the southwest of the German Kingdom (1280–1350); simplified representation based on maps C.4.3 and C.4.4 in Haverkamp, ed., *Geschichte* (as in n. 6), vol. III; adopted by kind permission from Müller, ‘*Erez gezerah*’ (as in n. 9).

only surpassed by the horrors of the persecutions at the time of the ‘Black Death’ pandemic.⁸

The structural background of these persecutions and the motivations of the perpetrator need not concern us in detail here.⁹ The latter include allegations of ‘ritual murder’ (1287) and ‘host desecration’ (1298, in part also 1336–38). At the time of the plague, it was the myth that Jews were conspiring to kill all Christians by means of well-poisoning. The structural background conditions include economic crisis, to be sure, but also political conflict within the towns concerned and the weakness of the most important protective agents, that is, the German crown and leading barons, who were enmeshed in the struggle between Charles IV and his Wittelsbacher opponents.¹⁰

Our question—namely, whether the persecutions initiated a significant wave of emigration from the regions affected—is hard to answer from the existing written sources. Some prominent cases of emigration certainly do exist. Thus, it was perhaps against the background of recent local pogroms in Mainz in 1281 and 1283 that the famous Rabbi Meir of Rothenburg (the *Maharam*) and a large group of other Jews from Mainz, Worms, Speyer, Oppenheim, and the Wetterau region decided to emigrate in 1286. Meir was apprehended when trying to cross the Alps and spent the rest of his days in royal prison, where he died in 1293. Not until 1307 could his mortal remains be ransomed for burial in Worms. According to a Latin account, Meir and his followers had tried to emigrate ‘across the sea’ (*ultra mare*), which certainly means that they wanted to go to Eretz Yisrael. Another case is that of Meir’s younger contemporary, R. Asher b. Yehiel (the *Rosh*). By the mid-fourteenth century, the ethical will written by R. Judah b. Asher (d. 1349) relates that his father had taken him away from the ‘land of persecution’ (*eretz gezera*) when Judah was thirteen years of age. This must have been in

or around 1303. The family emigrated to Toledo in Spain.¹¹

Emigration moves to Eastern Europe are unknown (or unaccounted for) during this period. What is more, a look at map 1 shows that places and regions hit by persecution were often re-settled by Jews within less than a generation. It would be impossible otherwise to explain the fact that, according to the Hebrew *Memorbook* tradition, Jews again fell victim to the persecutions of 1336–38 or 1349 or indeed both. In other words, some towns, small towns, and villages were ravaged by such pogroms three times in the span of just over fifty years.

This finding is corroborated by what we know about Jewish settlement history in the second half of the fourteenth century. While it is again possible to identify a number of individuals who—perhaps motivated by messianic expectations—moved to Eretz Yisrael. Among them was R. Isaac ha-Levi of Beilstein, who in 1349 had found refuge under the Counts Palatinate in the town of Heidelberg but went to Jerusalem one year later, there to found a *yeshiva*. Two of his students, however, later returned to Germany, which in itself appears significant.¹² For notwithstanding the fact that in our regions, the pogroms of the ‘Black Death’ period constituted the worst disruption in Jewish history before the Shoah, there was still a surprisingly strong tendency to return to exactly the towns of prior persecution. To name but a few early examples, Jews can be ascertained during the first decades after the plague at the following places:

—in the Rhineland: Heidelberg 1349, Speyer 1352, Worms, Landau, and Hagenau, perhaps also Feldkirch 1354, Bensheim and Weinheim, perhaps also Oppenheim 1355, Mainz 1356, Bingen, perhaps also Sobernheim 1357, Kreuznach 1358, Wissembourg (Alsace) and Heilbronn 1359, in the Lower Rhineland in Xanten 1355/56 and Siegburg 1359;

⁸ Haverkamp, ed., *Geschichte* (as in n. 6), vol. 1, pp. 223–42 (C. Cluse), and vol. III, map sequence D (‘Verfolgungen zur Zeit der Pest 1348–1350’).

⁹ See Jörg R. Müller, ‘*Erez gezera*h – “Land of Persecution”’: Pogroms against the Jews in the *regnum Teutonicum* from c.1280 to 1350, in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries): Proceedings of the International Symposium held at Speyer, 20–25 October 2002*, ed. by Christoph Cluse, Cultural Encounters in Late Antiquity and the Middle Ages, 4 (Turnhout: Brepols, 2004), pp. 245–60.

¹⁰ Alfred Haverkamp, ‘Die Judenverfolgungen zur Zeit des Schwarzen Todes im Gesellschaftsgefüge deutscher Städte’, in *Zur Geschichte der Juden im Deutschland des späten Mittelalters und der frühen Neuzeit*, ed. by *id.*, Monographien zur Geschichte des Mittelalters, 24 (Stuttgart: Hiersemann, 1981), pp. 27–93; František Graus, *Pest – Geissler – Judenmorde: Das 14. Jahrhundert als Krisenzeit*, Veröffentlichungen des Max-Planck-Instituts

für Geschichte, 86; 2nd edn (Göttingen: Vandenhoeck & Ruprecht, 1987). The recent account by Tzafir Barzilay, *Poisoned Wells: Accusations, Persecution, and Minorities in Medieval Europe, 1321–1422* (Philadelphia: University of Pennsylvania Press, 2022), is not without flaws.

¹¹ Israel Abrahams, ed. and trans., *Hebrew Ethical Wills*, 2 vols (Philadelphia: Jewish Publication Society, 1926), vol. 1, p. 166. According to R. Judah’s story, R. Asher had stood surety for R. Meir’s enormous ransom to be raised by the communities. But although R. Meir died in custody in 1293, the king’s envoy did not step back on his demand (*ibid.*, p. 189). In view of the persecutions raging in Germany at the time, R. Asher refused to return there, even when a certain city community offered him a strong armed escort for his way back (p. 190).

¹² *Germania Judaica, Band III: 1350–1519*, ed. by Arye Maimon, Mordechai Breuer and Yacov Guggenheim, 3 parts (Tübingen: Mohr Siebeck, 1987–2003), p. 524.

—along the Moselle river: Wittlich 1351, Koblenz 1351, Trier 1353, Cochem 1355, Münstermaifeld 1355;
 —in the South: Zürich, Ulm, and Munich 1354, Augsburg and Ingolstadt 1355, Fribourg (Switzerland) 1356, Stein am Rhein and Nördlingen 1357, Lindau on Lake Constance 1358;
 —in Franconia and along the Main river: Nuremberg 1349, Rothenburg ob der Tauber 1354, Tauberbischofsheim 1356, Buchen and Aschaffenburg 1358 or 1359, Frankfurt am Main and Friedberg 1360;
 —further north and east: Nordhausen 1350, Hildesheim 1351, Quedlinburg and Eger (Cheb), perhaps also Halle 1352, Cölln (Berlin), Guben, Naumburg, and Erfurt 1354, Osnabrück and Langensalza before 1360.

The return movement continued into the 1360s and 1370s¹³, though of course the network of Jewish settlements never reached the extent and density of the pre-plague period—not to speak of the human tragedy and trauma involved. Perhaps it helped that the Christian majority began to understand that killing the Jews had done nothing to stop the plague from spreading, as at least some chroniclers writing in hindsight stated that the allegations of well-poisoning had been unfounded.¹⁴ Where the survivors came from is hard to say and what we know cannot be generalized. Some had found protection under neighbouring lords. Thus, some Jews of Worms survived under the Counts Palatinate in Heidel-

berg, some from Speyer on the castles of the lords of Hirschhorn and of Leiningen.¹⁵

The new beginnings were often small-scale and marked by the appearance of individual Jewish agents who got involved in negotiations over the return to the places where they had lived previously. Some of them even acted as veritable locators by negotiating the conditions of settlement not only on their own behalf but that of others as well.¹⁶ In view of our present question it is perhaps significant that among the first heads of Jewish households to be found in Erfurt after the plague, we find (1357) a certain Freudel who hailed from Breslau, that is, from a place further east. Freudel of Breslau in 1361 was entrusted by the landgraves of Thuringia with recruiting further Jews for settlement in the land of Thuringia. The role of Freudel and other, similar ‘locators’ were able to assume reveals that where Jews had recently been killed there were now functional ‘slots’ to be occupied anew by willing Jewish settlers.¹⁷ Those returning to the homes of their parents after 1350 mainly aimed at those towns and cities that had harboured proper communities equipped with a cemetery and other institutions. This trend probably had to do with the search for greater security behind town walls but cannot be completely explained by this. We also need to take into account that in the mental map of contemporary Jews, the places where their parents and ancestors had found rest occupied a prominent position.¹⁸

2. Magdeburg, Regensburg, and the Eastern Parts of the Empire

Unfortunately, the maps produced in Trier do not cover the eastern parts of the Empire. I have therefore produced sketches to illustrate the situation east of longitude 10. The first cross-section concerns the situation at the end of the thirteenth century (map 2). Names are only given for those main communities for which a synagogue or a cemetery is attested for this period. The many small dots in the western part of the map reflect,

inter alia, the numerous small settlements hit by the persecution of 1298, as is documented in the Jewish memorial tradition. We can distinguish five regions of densified settlement: the south of the Empire; the region reaching from Erfurt northward to the margraviate of Brandenburg (as far as Arnswalde in the Neumark district); the kingdom of Bohemia and the margraviate of Moravia; Austria and Styria to the south; the duchies

¹³ See the respective articles in *Germania Judaica III* (as in n. 12); also Haverkamp, ed., *Geschichte* (as in n. 6), vol. 1, pp. 243–47 (R. Kosche) with vol. III, map sequence E (‘Erstbelege nach 1350’).

¹⁴ For examples see Christoph Cluse, ‘Zwischen Vorurteil und Vertrauen: Die Rettung der Regensburger Juden im Jahr 1349’, in *Kulturkonflikte – Kulturbegegnungen: Juden, Christen und Muslime in Geschichte und Gegenwart*, ed. by Gisbert Gemein (Bonn: Bundeszentrale für politische Bildung, 2011), pp. 362–75.

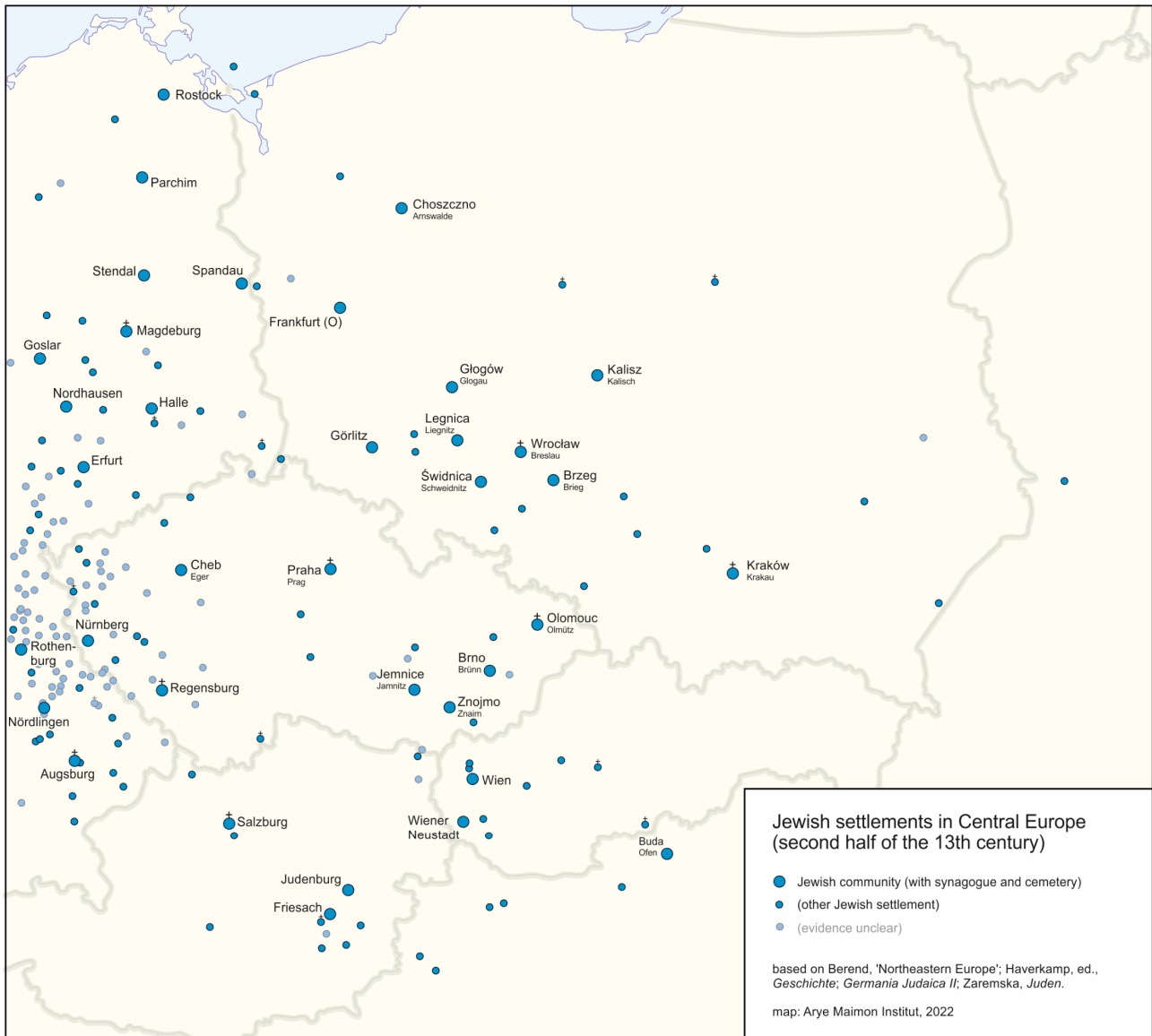
¹⁵ See, for example, Jörg R. Müller, ‘Juden und Burgen im Mittelalter – Eine nur scheinbar marginale Beziehung’, in *Die Burg: Wissenschaftlicher Begleitband zu den Ausstellungen ‘Burg und Herrschaft’ und ‘Mythos Burg’*, ed. by Ulrike G. Großmann

and Hans Ottomeyer (Dresden: Sandstein, 2010), pp. 110–25.

¹⁶ Cf. Michael Schlachter, ‘*Judei ... reversi sunt*: Zur Reorganisation jüdischen Lebens in Aschkenas nach 1350’, in *The Jews of Europe around 1400: Disruption, Crisis, and Resilience*, ed. by Lukas Clemens and Christoph Cluse, *Forschungen zur Geschichte der Juden*, A 27 (Wiesbaden: Harrassowitz, 2018), pp. 31–53.

¹⁷ *Ibid.*, pp. 44–48.

¹⁸ See above, n. 12. I have described such a ‘mental map’ in Christoph Cluse, ‘The Jews of Medieval Ashkenaz: Topographies of Memory’, in *Rostros judios del occidente medieval: XLV Semana Internacional de Estudios Medievales, Estella-Lizarrá, 17/20 de julio de 2018* (Pamplona: Gobierno de Navarra, 2019), pp. 137–65, at pp. 153–54.



map 2

of Silesia to the north. Poland itself is represented by only a handful of settlements, with Kalisz and Cracow the most important among them. Indeed, Jewish mint masters appear in Kalisz in the twelfth and thirteenth centuries. In Cracow a Jewish presence is reported for as early as the eleventh. Given these early dates it is worth noting that, other than in the western parts of the Empire, no filiations in their hinterland are on record.¹⁹

For the Jewish perspective it is important that east of an imagined line marked by the cities of Regensburg and Magdeburg we find certain cultural traits in lang-

uage and custom that differed from those of the West. On the linguistic level, the *Bnei Hess* of the Rhineland, who pronounced Hebrew *het* like 'h', can be distinguished from the *Bnei Khess* of Austria, who pronounced it like 'kh'. Differences in liturgy (*minhag*) and religious customs (*minhagim*) can also be traced as far back as the thirteenth century. In this regard, the 'Rhenish custom' (*minhag Reinus*) can be distinguished from the 'custom of Austria' (*minhag Ostraiikh*), which, in its later shape, became known as *minhag Polin*, the widespread 'Polish custom'.²⁰

¹⁹ For a reliable survey see Hanna Zaremska, *Juden im mittelalterlichen Polen und die Krakauer Judengemeinde*, Klio in Polen, 17 (Osnabrück: Fibre, 2013). Data for map 2 was also collected from Nora Berend, 'Northeastern Europe', in *The Cambridge History of Judaism*, vol. VI, *The Middle Ages: The Christian World*, ed. by Robert Chazan (Cambridge and New York: Cambridge University Press, 2018), pp. 282–304; *Germania Judaica, Band*

II: Von 1238 bis zur Mitte des 14. Jahrhunderts, ed. by Zvi Avneri, 2 parts (Tübingen: Mohr Siebeck, 1968), and Haverkamp, ed., *Geschichte* (as in n. 6). The map features today's border lines for orientation only.

²⁰ Lucia Raspe, 'Zwischen Ost und West: Zur Druckgeschichte von Schimon Günzburgs jiddischer Brauchsammlung', *Ashkenas*, 30 (2020): 1–19, at pp. 4, 7–8.

Magdeburg played a key role in these cultural developments. Jews first appeared in this city in 965, when they were mentioned in an important charter by Emperor Otto I. After that, we hear almost nothing about them, which is perhaps due to the fact that the city archives were destroyed during the Thirty Years' War. The Hebrew sources, however, speak of a remarkable cultural activity from at least the early thirteenth century. Around this time, R. Ḥisqiya b. Jacob composed a liturgical *minhagim* book, basic traits of which were later passed on through R. Abraham Klausner (Vienna, around 1400) and Eisiq Tyrna (also from Vienna, in Brno in 1424²¹), into the Polish *minhagim* tradition. Rachel Mincer has recently suggested that R. Ḥisqiya's handbook, which is distinguished by its 'accessible' character, was written for a community marked by immigrants for whom certain conventions had to be fixed.²² In the second half of the thirteenth century we hear of questions received at the Jewish court in Magdeburg from Jews in other places.

Regensburg, too, was one of the communities of old, a 'city and mother in Israel'. The town was an important hub in the Danube trade and a Jewish presence at a central spot in the city is datable back to 981 CE. From at least the late-twelfth century, important Jewish scholars lived here, among them the leading representative of the so-called *Ḥasidei Ashkenaz*, R. Judah ben Samuel 'the Pious' (*he-Ḥasid*), whose father, Samuel, had immigrated from Speyer. As Israel Ta-Shma has shown in a seminal article, numerous early mentions of Eastern European Jewish scholars appearing in thirteenth-century sources were due to these scholars' relations with R. Judah in Regensburg.²³

There is no map of the situation around 1350 yet. The sources indicate, however, that the disruption wrought by the mid-century persecutions was not as deep in the east and southeast of the Empire as it was in the west. There was no persecution in Regensburg, none in Goslar (at least not during the Black Death) and Halberstadt; not everywhere in Brandenburg, almost nowhere in Austria and Styria, in Bohemia and Moravia. In Regensburg in 1349 the magistrate succeeded in

controlling the situation, in Austria and Bohemia the respective territorial rulers did the same. Even where the violence broke out there were significant numbers of survivors. In Braunschweig, for example, fifty Jews survived, and the number living in the town rose to 100 within the following eight years. In Breslau (Wrocław) too, survivors of the local pogrom are attested during the 1350s, and there were no pogroms in other towns in Silesia such as Glatz (Kłodzko) and Glogau (Głogów).²⁴ To be sure, the end of the first plague pandemic by no means also marked the end of the violence. There were persecutions in Magdeburg in 1356/57 and 1384, and Prague was hit by a terrible pogrom in 1389. On the whole, however, the Jews in Central Europe fared better during this period than their co-religionists in the West. We may assume that communication and exchange among their communities continued throughout this period.

For example, a scholar named Menahem b. Pinḥas from Merseburg was active in Austria. He was 'one of the few outstanding scholars who did not perish at the time of the Black Death persecutions in the mid-century and who passed on the previous tradition to the coming generation'.²⁵ Until the *gezera* of 1420 put a brutal end to the community of Vienna, its *yeshivot* also formed a magnet for students from the old centres of the Rhineland that had perished in 1349. One of those who spent his student years in Austria was the famous *Maharil* (R. Jacob b. Moshe ha-Levi Molin, *d.*1427) of Mainz.

It is against this background that we have to read map 3 reflecting the second half of the fourteenth century. It shows a certain densification of the Jewish settlement network in all of the five regions named above. But keeping in mind the significant improvement of document survival, the expansion of Jewish settlement in Silesia and Poland is not so impressive, compared with the century before. In other words, it is very unlikely that the pogroms between 1298 ad 1350 induced a mass migration into this region. The take-off in numbers of the Ashkenazi communities in Poland and Lithuania must be dated to a later period.

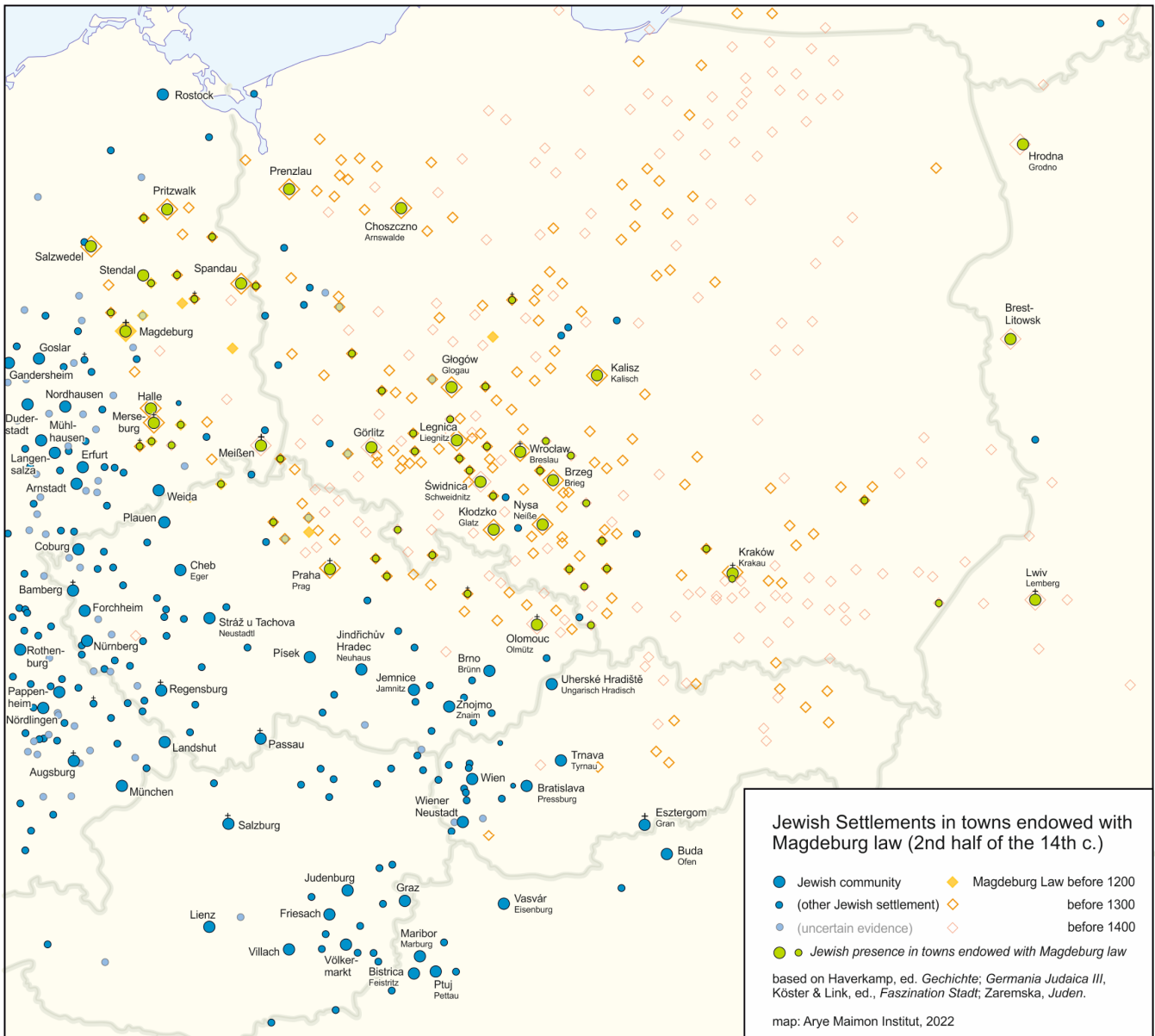
²¹ *Ibid.*, p. 7 n. 24.

²² Rachel Zohn Mincer, 'Liturgical Minhagim Books: The Increasing Reliance on Written Texts in Late Medieval Ashkenaz', Ph.D. Dissertation, The Jewish Theological Seminary of America (New York: JTS, 2012), pp. 29–41.

²³ Israel M. Ta-Shma, 'On the History of the Jews in Twelfth- and Thirteenth-Century Poland', *Polin*, 10 (1997): 287–317, esp. pp. 301, 314–16.

²⁴ See the articles in *Germania Judaica III* (as in note 12).

²⁵ Trans. from *Germania Judaica III* (as in note 12), p. 867.



map 3

3. Beyond *Push* and *Pull* – Structures of Opportunity

If it was not the pogroms which prompted Jewish individuals and families to move eastward, what then were their reasons? I would suggest that it was the same reasons that also obtained for their non-Jewish neighbours. Historians of migration have long abandoned the simplified language of *push* and *pull* factors, and highlighted the role of ongoing communication linking the areas of origin with areas of arrival.²⁶ Communication is part of what I would call ‘structures of opportunity’, and such structures were as much at work in the areas

of ‘old’ settlement in the west as in the eastern areas of ‘new’ settlement (and beyond).

Fifty years ago Bernard Weinryb suggested that the Jewish eastern migration of the Middle Ages was part of the general movement of the ‘German Colonization of the East’ (*Ostsiedlung, Ostkolonisation*).²⁷ It has been objected—and justifiably so—that the colonization of Central and Eastern Europe with peasant settlers from the West (some came from as far as the Low Countries) was very much an organized affair, whereas the migra-

²⁶ See, in particular, Jan and Leo Lucassen, eds, *Migration, Migration History, History: Old Paradigms and New Perspectives* (Berlin, etc.: Lang, 1997).

²⁷ Bernard D. Weinryb, *The Jews of Poland. A Social and Economic History of the Jewish Community in Poland from 1100 to 1800* (Philadelphia, PA: Jewish Publication Society of America, 1972), pp. 24–25.

tion of urban merchants and craftspeople happened on a more individual (or at least smaller) scale.²⁸ Notwithstanding, we ought to keep in mind this general migration involving numerous speakers of German, as it provides a context for Jewish migrants, not least by extending the areas of communication in a purely linguistic sense.

The processes of urbanization and, generally, of territorial organization were part and parcel of the eastward colonization movement. In this context, the creation of a more or less unified legal sphere must have been of great significance for Jewish migrants, too. Here again the role of Magdeburg was prominent. Ever since the twelfth century the legal guidelines followed in Magdeburg were spreading throughout the eastern parts of the Empire and beyond, through Central and Eastern Europe. The ‘Law of Magdeburg’ rationalized jurisdiction, urban self-government, trade and commerce. Over time, it built a kind of network of relations, most visible in the many legal queries addressed to the jurors of Magdeburg’s superior court (*Oberhof*). In Poland, this way of seeking reassurance in the West was only abandoned in 1356 when King Casimir III proscribed it and installed a separate superior court for his own kingdom at Cracow. The flexible framework of Magdeburg town law gave the urban elites of Eastern Europe opportunities for developing their autonomy in legislation and jurisdiction. The spread of this constitutional framework was closely linked to the legal rulings known as *Landrecht* described in the so-called ‘Mirror of the Saxons’ (*Sachsenspiegel*). No less than 470 surviving manuscripts are known of this law-code, and they certainly represent only a small part of its former popularity. ‘In close connection with the *Sachsenspiegel*, the Law of Magdeburg reached Silesia, Poland, the territory of the Teutonic Order, into the Baltic (Lithuania, Livonia), to Ukraine and

Bohemia, Moravia and Hungary.²⁹ Silesia formed a hub in this development, from here the ‘Saxon-Magdeburg’ legal traditions reached Poland, where Cracow attained a similar key position. In 1356 the Galician town of Lemberg (Lviv), under Polish rule since 1349, was enfranchised with Magdeburg town law.

As Heiner Lück writes, the composition of the *Sachsenspiegel* law code was probably a ‘reaction to a legal diversity in central Germany that had become confusing’.³⁰ Eike of Repkow, who wrote this guidebook between 1220 and 1230, was the scion of a family of vassals of the Magdeburg archbishops. These conditions resemble those at work behind the composition of the Hebrew *minhagim* book by Ḥisqiya b. Jacob of Magdeburg, as we saw earlier: they come down to the need of harmonizing practice in a society of immigrants.

What is more, the Saxonian/Magdeburg legal framework also became important for Jews in eastern Germany and Central Europe. Not only does the law of Magdeburg provide procedural laws geared towards the needs of merchants; the ‘Mirror of Saxons’ also contains quite a few rulings directly relevant for Jewish economic activity. In some manuscripts the law-code is bound together with copies of the privilege granted to the Jews by Margrave Henry ‘the Illustrious’ of Meissen in 1265.³¹

Over the course of the twelfth to fifteenth centuries, then, linguistic, legal, and economic factors combined to form structures of opportunity, which made it attractive for Christians and Jews to move around in Central and Eastern Europe over short, middling, and sometimes long distances. They created the basic conditions for resettling some place else. As indicated in map 3, most of the Jewish settlements between Magdeburg in the West and Brest and Lviv in the East were established in places endowed with Magdeburg town law.

4. The Impact of Expulsion (1390–c.1560) and the Contours of a Research Program

On the whole, then, the persecutions of the thirteenth and fourteenth centuries were not the reason for Jewish immigration in Central and Eastern European towns. Still, I think it is unlikely that the demographic rise in Jewish population in Poland and Lithuania is purely an

outcome of natural growth. For indeed there is evidence that eastward migration of German Jews must have occurred on a significant scale from the fifteenth century onward, and that immigration expanded the basis from which the demographic growth of Polish communities

²⁸ Stampfer, ‘Violence’ (as in n. 4), pp. 131–32.

²⁹ Trans. from Heiner Lück’s observation in *Faszination Stadt: Die Urbanisierung Europas und das Magdeburger Recht*, exhibition catalogue, ed. by Gabriele Köster and Christian Link (Dresden: Sandstein, 2019), p. 53; see also Heiner Lück, ‘Magdeburger Recht’, in *Handwörterbuch zur deutschen Rechtsgeschichte*, 2nd edn, ed. by Albrecht Cordes, vol. III (Berlin: Schmidt, 2016), cols 1127–36, at cols 1131–32.

³⁰ *Faszination Stadt* (as in n. 29), p. 94.

³¹ *Ibid.*, p. 95. On the importance of Magdeburg law for the Jews in Central and Eastern Europe see the many examples provided by Guido Kisch, *Jewry-Law in Medieval Germany: Laws and Court Decisions Concerning Jews*, American Academy for Jewish Research, Texts and Studies, 3 (New York: AAJR, 1949).

over the following generations must be understood. This eastward migration was not prompted by persecution but by expulsion. Starting in 1390 and continuing through the middle of the sixteenth century, Jews were expelled from numerous territories and from almost all of the major towns and cities in the Empire. The two phenomena—persecution and expulsion—are both expressions of anti-Jewish sentiment and policies, but in view of our question need to be better distinguished from one another.

The expulsions began in 1390 in the Palatinate County on the Rhine (including the ‘Upper Palatinate’ region now situated in Bavaria) and in the city of Strasbourg. Of the major Jewish communities, only those in Worms and Frankfurt in the West and Prague in the East made it into the mid-sixteenth century. The following list may help to illustrate the movement:

1390 Strasbourg and the Palatinate County; 1418 the Electorate of Trier; 1420/21 Vienna and the Duchy of Austria; 1424 Cologne; 1436 Zurich; 1437 Heilbronn; 1438 Mainz, Augsburg; 1442 the Duchy of Bavaria-Munich; 1443 the bishopric of Eichstätt; 1450 Bavaria-Landshut, the bishopric of Würzburg; 1453/54 Breslau (Wrocław) and Silesia; 1454 Erfurt; 1453–65 Esslingen; 1470 Mainz (city and Electorate); 1478 the bishopric of Bamberg; 1479 Speyer (?), the bishopric of Strasbourg; 1488 Passau, Brandenburg-Ansbach, and Wallerstein; 1492 Württemberg; 1492/93 Sternberg and the Duchy of Pomerania; 1493 Magdeburg (city and bishopric); 1496 the county of Schwarzburg; Styria, Carinthia and the bishopric of Salzburg, the bishopric of Würzburg (again); 1499 Bamberg, Nuremberg, and Ulm; 1506 Budweis; 1507 Nördlingen and environs; 1510 Brandenburg; 1515 Brandenburg-Kulmbach; 1518 Donauwörth; 1519 Regensburg; 1520 Rothenburg ob der Tauber and Weißenburg in Bavaria.³²

³² On the expulsions see the contributions in Friedhelm Burgard, Alfred Haverkamp and Gerd Mentgen, eds, *Judenvertreibungen in Mittelalter und früher Neuzeit*, Forschungen zur Geschichte der Juden, A 9 (Hannover: Hahn, 1999), and the survey by Gerd Mentgen, ‘Die Judenvertreibungen im mittelalterlichen Reich: Ein Forschungsbericht’, *Aschkenas*, 16 (2006): 367–403.

³³ For a discussion of these motivations see Christoph Cluse, ‘Jewish Moneylending in Dominican Preaching, Confession, and Counselling: Some Examples from Later Medieval Germany’, in *Dominicans and Jews: Personalities, Conflicts, and Perspectives from the 13th to the 20th Century*, ed. by Elias Füllenbach and Gianfranco Miletto, Quellen und Forschungen zur Geschichte des Dominikanerordens, 14 (Berlin: de Gruyter, 2015), pp. 195–230.

Some of these expulsions were again connected with serious persecution (Vienna and Austria, Breslau and Silesia, Sternberg and Pomerania, Berlin and Brandenburg). In contrast to what happened in the fourteenth century, however, the authorities now explicitly ruled out the possibility of return for the Jews affected. And while not all of the expulsion decrees were observed ‘for all time’, most of them were effective for generations.

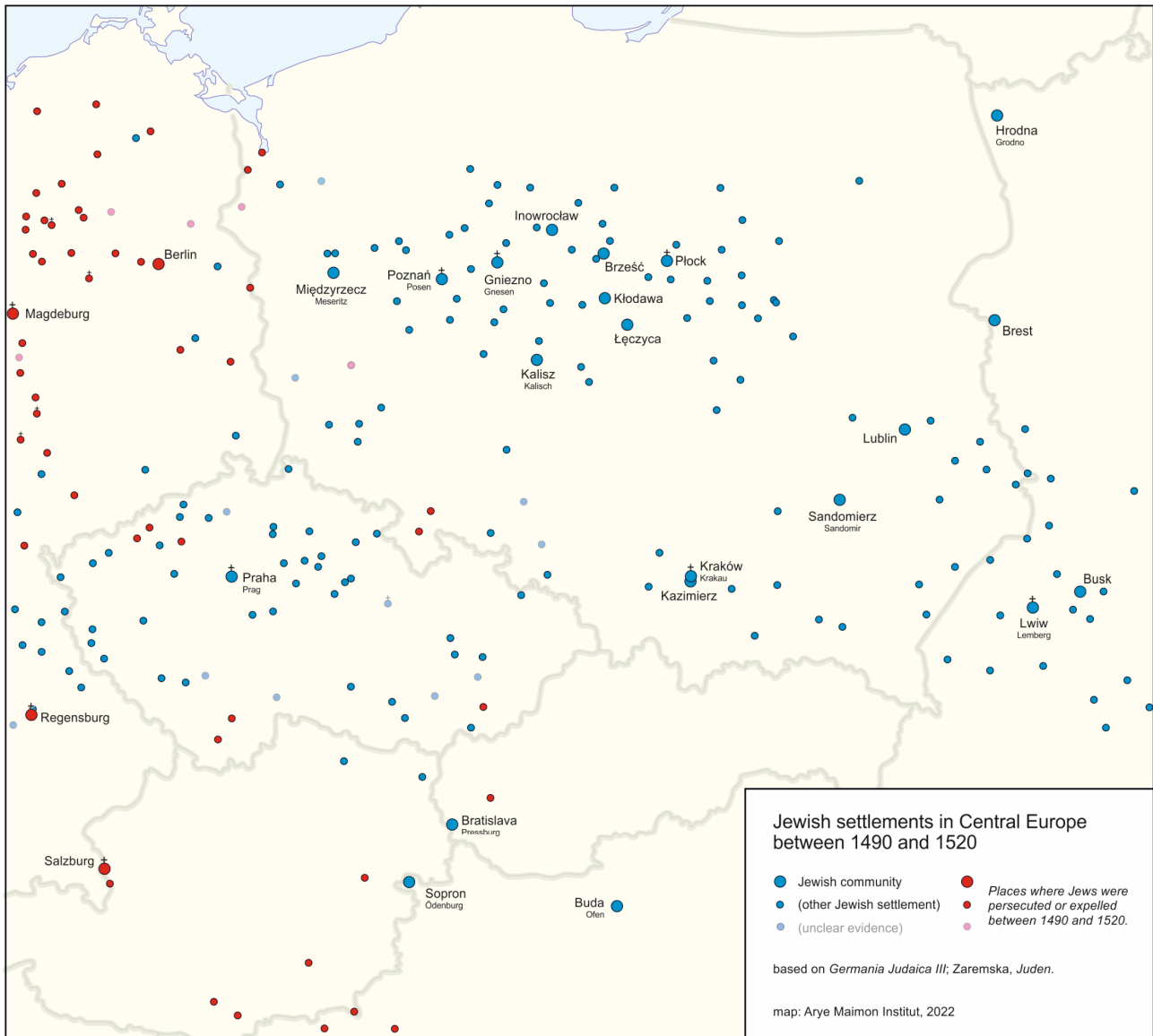
The motivations for expelling Jews are too diverse and complex to allow for a brief summary here, but it is fair to say that most of what the local and territorial authorities brought forth in justification circled around the idea that Jewish moneylending was detrimental for the Christian population and for the economic well-being of the land.³³

On the whole, thousands of Jewish households must have been affected. Not all of them found refuge in the small and middling towns that still allowed Jewish settlers or in the tiny lordships of ‘imperial knights’ (*Reichsritter*). Jewish history in sixteenth-century Germany, as far as it unfolded outside the urban communities of Frankfurt, Worms, and Prague, was confined to a few regions; in view of the difficulties of self-organization it has been described as a time of ‘atomization’.³⁴

It should be added that the end of the fourteenth century also saw the onset of a significant emigration of German Jews to northern Italy, with some of the more affluent families moving into the Veneto and the Duchy of Milan. By the early fifteenth century the Ashkenazi diaspora in Northern Italy had already reached a size that made it culturally important. The scholars immigrating from the old Ashkenazi centres brought with them important texts, thus preserving them for generations to come.³⁵ In Northern Italy, Yiddish first attained maturity as a literary language. Other than in Eastern Europe, however, the language came out of use here during the sixteenth century, for the surrounding populations did not speak German and the small commu-

³⁴ For recent contributions on this issue see Sigrid Hirbodian and Torben Stretz, eds, *Juden und ländliche Gesellschaft in Europa zwischen Mittelalter und Früher Neuzeit (15.–17. Jahrhundert): Kontinuität und Krise, Inklusion und Exklusion in einer Zeit des Übergangs*, Forschungen zur Geschichte der Juden, A 24 (Wiesbaden: Harrassowitz, 2016). The concept of ‘atomization’ was first proposed by Daniel J. Cohen, ‘Die Landjudenschaften in Hessen-Darmstadt bis zur Emanzipation als Organe der jüdischen Selbstverwaltung’, in *Neunhundert Jahre Geschichte der Juden in Hessen: Beiträge zum politischen, wirtschaftlichen und kulturellen Leben*, ed. by Christiane Heinemann (Wiesbaden: Kommission für die Geschichte der Juden in Hessen, 1983), pp. 151–214.

³⁵ See Lucia Raspe, ‘The Migration of German Jews into Italy and the Emergence of Local Rites of *Selihot* Recitation’, in *The Jews of Europe* (as in n. 16), pp. 173–93.



map 4

ities of Ashkenazi Jews began to mix with the descendants of 'old' Italian Jewish families and the Iberian Jews arriving in the region after the expulsions from the Iberian Peninsula and the Kingdom of Naples.

Emigration to northern Italy was based, in legal terms, on individual contracts between Jewish bankers and the local commune or *signoria* and therefore, in economic terms, the privilege of the more affluent families. At the same time, the opportunities for Jews in the towns and lands of the Empire were also restricted. It is therefore very unlikely that the expulsions of the fifteenth century did not leave many Jews on the way towards Poland. A glance at map 4, showing the settlements attested between 1490 and 1520, shows that the

number of settlements in Poland had significantly increased by the turn of the sixteenth century. It also reflects the extent of disruption by (persecution and) expulsion in the eastern parts of the Empire with its long-standing cultural connections into the East. While we know little about the individual movements, their agents and about people's motivations³⁶, we can surmise that in the three to four generations between 1390 and the early sixteenth century, emigrants from 'old Ashkenaz' contributed to the growth of the communities of 'new Ashkenaz' in Poland and Lithuania. The evidence known so far shows the proverbial tip of the iceberg—the names of rabbinic scholars who moved to Poland during this period. Most of them came from the central

³⁶ The long lists of names given by Louis Lewin, 'Deutsche Einwanderungen in polnische Ghetti', *Jahrbuch der jüdisch-litterarischen Gesellschaft*, 4 (1906): 293–329, and 5 (1907): 75–154, mainly contain references to the seventeenth and eighteenth

centuries. They corroborate the impression that, in numerical terms, German-Jewish emigration to Poland was small in before 1500 and insignificant before 1400.

European area of communication encompassing Austria, Bohemia and Moravia, as well as Silesia.³⁷ Prague remained the most important hub for their movements, and recent research has shown that the Bohemian capital also connected northern Italy with Poland.³⁸ However, there were also some scholars who came from the Rhineland. Thus, the famous Polish scholar R. Solomon Luria (the *Maharshah*, c. 1510–1573/74) could look back over a genealogy that traced him back into the venerable past of high medieval Ashkenaz. Solomon was the great-grandson of a certain R. Yehiel b. Aaron Luria who had moved from the Rhineland to Brest around the middle of the fifteenth century. Yehiel's father, in turn, was the scholar R. Aaron b. Nethanel of Worms (d. between 1460 and 1473), his brother, R. Yoḥanan Luria (d. after 1511), served as a rabbi in Alsace. Yehiel's mother was the learned Mrs Miryam, by whose father, R. Solomon Shpira, the Luria family claimed an ancestry that went back to Rashi of Troyes himself (R. Solomon b. Isaac, d. 1104).³⁹

To date, these kinds of relationships are known almost exclusively in cases of prominent scholars. Identification of western immigrants in the urban sources of Lesser and Greater Poland still needs to be done on a broader scale. And unlike the sources from Germany and Northern Italy, it seems that the deeds and town books of Polish towns rarely identify the Jews they

record with names of origin. Much effort will therefore be needed to find traces of immigration, and a bulk of town books and court registers will have to be analysed in the archives.⁴⁰

For the time being, three conclusions can be drawn from the cartographic analysis we have advanced:

—*First*, the impression is confirmed that the persecutions of the late-thirteenth to mid-fourteenth centuries did not prompt a significant shift of Jewish settlement from the German kingdom to Poland.

—*Secondly*, the gradual expansion of Jewish population in Poland can be explained by the structures of opportunity created through the general movement of eastward settlement, colonization, and urbanization. These developments are most clearly expressed in the spread of legal traditions from Magdeburg and Saxonia.

—*Third*, the period of persecution (thirteenth to fourteenth centuries) must be more clearly distinguished from the period of expulsions starting in the late-fourteenth century and continuing into the mid-sixteenth. It is not until this period that we find in Poland named individuals whose families hailed from the western communities of 'old Ashkenaz'. For a better understanding of this movement more needs to be known about the Jewish agents involved. Future research will have to deal with these issues.

³⁷ For individual examples, see Jürgen Heyde, 'Jüdische Ansiedlung in Polen und Kontakte ins Reich bis zur Mitte des 17. Jahrhunderts', in *Tür an Tür: Polen – Deutschland: 1000 Jahre Kunst und Geschichte*, ed. by Małgorzata Omilanowska et al. (Cologne: DuMont, 2011), pp. 50–55, at pp. 54–55; Shaul Stampfer, 'Settling Down in Eastern Europe', in *Jews and Germans in Eastern Europe: Shared and Comparative Histories*, ed. by Tobias Grill, *New Perspectives on Modern Jewish History*, 8 (Berlin: de Gruyter, 2018), pp. 1–20, at p. 4; Rainer Josef Barzen, 'The Transfer of Tradition from West to East: The *Takanot Shum* between the Rhineland and Poland in the Late Middle Ages and the Early Modern Period', *Polin*, 34 (2022): 39–53. See also *Germania Judaica III* (as in note 12), pp. 501 (R. Moses of Halle), 1015 (R. David Sprintz from Nuremberg), 1129

(R. Jacob Polak), and 1198 (R. Samuel Margoles from Regensburg, who first went to Cremona before moving to Poznań).

³⁸ See Marie Buňatová, ed., *Migrationsprozesse und Mobilität der europäischen Juden am Übergang vom Mittelalter zur Neuzeit* (Kiel: Solivagus, 2024, forthcoming).

³⁹ Cf. Paul J. Jacobi, 'The Historicity of the Rashi Descent', *Avotaynu: The International Review of Jewish Genealogy*, 6:1 (1990): 17–28, at pp. 19–23. See also *Germania Judaica III* (as in note 12), pp. 459, 705–06, 1127, 1679–80, 1860, and 2120; most recently, Barzen, 'Transfer' (as in n. 37), p. 42.

⁴⁰ Dr. Jörg R. Müller, Trier University, is preparing a research project to this effect. See also Kajetán Holeček, 'Zwischen Prag und Posen: Einige Sondierungen in Streitigkeiten Prager und Posener Juden', in *Migrationsprozesse* (as in n. 38), pp. 289–309.