

THE SITUATION OF THE JEWS IN ROUMANIA SINCE THE TREATY OF BERLIN (1878)

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I

[The reign of Prince Charles, the present King of Roumania, had an unfortunate beginning. The capital gave him a brilliant reception, but very soon it afforded him the spectacle of a riot against the Jews. An assembly had been convened to confer a constitution upon Roumania. The rough draft submitted by the government stated, in Article 6, that "religion is no obstacle to naturalization." It added, "With regard to the Jews, a special law will regulate their admission to naturalization and thus also to civil rights."

This article was superfluous; the question had been settled in the civil code. But the government wished to draw the attention of the Judæophobes—anti-Semites were not yet known—to this fact so that they might demand its abrogation. The purpose was more than realized. The hangers-on of the government organized bands, and fell upon the Jews on their way to the synagogue recently erected, demolished it, and desecrated the holy precincts (June 30, 1866). The government withdrew Article 6, and put to the vote Article 7, which stated that "aliens of the Christian persuasion alone can obtain naturalization."]]

[From the Roumanian cities the Jews were already banished. Soon they were to be placed beyond the law, too. Called to absolute power, John Bratianu had the archives ransacked in order to bring to light the ancient circulars and decrees pro-

mulgated against the Jews in the two principalities. By a series of new circulars he brought them back into force, and the hunting down of the Jews was begun. Jewish inns were shut down; prefects, sub-prefects, and mayors took measures for the wholesale expulsion of the Jews from the villages. Atrocities were committed: with the butt-end of muskets and at the point of the bayonet, men, women, and children were cruelly driven from their homes. In the towns the Jews were brutally seized by the police and the agents of the law, were caught with a lasso, abused, and imprisoned. Some were hunted out of the country, others were condemned by the courts as vagrants. Roumanian subjects though they were, they were forced across the Danube, and, Turkey refusing to receive them, they were drowned in the river.]

These barbarities shocked the whole of Europe. Energetic remonstrances were addressed to the Roumanian government, and Bratianu was dismissed.

The conservative ministry succeeding him was no better. Under the mask of tolerance it made the preparations for a legal persecution. This was the very ministry that passed the first restrictive laws on the subjects of the tobacco monopoly and spirituous liquors. Thousands of Jewish families forfeited their livelihood. At the same time riots broke out. Ministers, prefects, all the constituted authorities, made it their duty to harry the Jews. Disgraceful and barbarous scenes were enacted everywhere. The European press denounced these proceedings; the Powers wrote peremptory notes. Nothing came of it. Soon thereafter these same Powers signed commercial agreements with Roumania, a semi-sovereign principality, in which they sacrificed the interests of their own Jewish citizens, impressing Roumanian

statesmen with the conviction that civilized Europe itself would not yield the slightest material profit for the sake of the persecuted Jew's cause. Moreover, Bratianu had resumed the leadership, and the man who had allowed himself to be put into confinement as a lunatic in order to escape the consequences of complicity in the attack upon Napoleon III, knew full well how to set about allaying the wrath and the scruples of diplomats. The situation of the Jews was lamentable. It was the eve of the Russo-Turkish war.

II

[After the war, in 1878, the European areopagus was convoked for the purpose of recasting the Treaty of San Stefano. The opportunity was seized to regulate the Jewish question in Roumania. The Congress of Berlin proclaimed the equality of all creeds before the law. A man's religion was no longer to constitute an obstacle to the enjoyment of civil and political rights, still less to the pursuit of any of the professions or trades. More than that, all nationalities, owing allegiance to no matter which of the Powers—merchants as well as others—were to be treated, in Roumania, without distinction as to religion, on a footing of perfect equality.

Ignorant of Roumanian affairs and of the knavery and duplicity of Roumanian statesmen, the diplomats of Europe and the Jews of foreign countries openly rejoiced. They soon saw cause to moderate their exultation. Article 44 of the Treaty of Berlin will ever remain a monument to human fatuity, which plumes itself upon legislating according to the abstract formula of the law, without a searching study of men and things. Outsiders might have been astonished at the failure to execute the formal provisions of the Treaty of

Berlin; in those who knew the disposition of Roumanian statesmen, it did not awaken surprise. Rather were they taken aback by the wording of the article, which bore in its womb the exceptional laws and the persecutions which Roumania was shortly to display to the civilized world.]

Article 44 called forth indignant outcries in the Roumanian press. Fists were clenched, and the Jews of the land were threatened with a general massacre—one bit of knavery the more, by way of preparation for the farce which the Roumanians were going to play before Europe; and as the politicians, of whatever party, were animated by intolerance, they all joined hands behind the scenes to enact it with adroitness and diplomacy.

The government organized diplomatic missions, and, while it was exciting the masses at home, its emissaries, in their negotiations with foreign cabinets, used the artificially fomented dissatisfaction of the people as a pretext to obtain the recognition of Roumanian independence without fulfilling the conditions attached to it in the Treaty of Berlin. Nevertheless they promised, in the name of the Roumanian government, religiously to fulfil the stipulations of the treaty—which did not hinder the government from secretly urging its own supporters and partisans to oppose the government with the utmost bitterness, to yield not a hairbreadth, and to hold high and firm the flag of intolerance and exclusivism.

[Thus it came about that Article 7 of the constitution was abrogated after many a throe simulated for the gallery, and thus was born the new article, a model of jesuitism, duplicity, and rascality. The Jews disappeared with a stroke of the pen. Thenceforth Roumania had no Jews, but only *aliens not subject to alien protection*—pariahs, vagabonds, the targets

of any chance passer-by. It was a return to the good old times of outlawry, whose victims might be annoyed, tormented, deprived of life itself, and justice not take cognizance of the wrong.]

The limitation of space does not permit me to review the situation of the Roumanian Jews in detail. I can but present to my readers a succinct account, bare of all the finer shades which alone make the picture real and vivid. For, it must be remembered, we are not dealing with a legislation frankly hostile to the Jews, as in Russia, nor with an avowed persecution. For the greater part we are engaged with an adversary who conceals his game, and strikes from behind.

The persecution of the Jews takes on every possible form, it shows itself everywhere. It appears in the restrictive laws; it is incited by the legislative chambers; it emanates from the ministers of the cabinet; it is frankly directed by the bodies corporate of the departments and the communes, by the police, by the administrators of justice, by the army, by the teachers and professors, and by ordinary private individuals. Everybody tracks the Jews, and woe to the Jew who defends himself.

III

[And what of naturalization?

According to Article 7 of the constitution in its modified form, naturalization is accorded only by a vote of the two Chambers, and then only to individuals. Naturalization conferred upon a father does not involve the naturalization of his minor children; the Chambers may vote or may refuse it. At one time, if naturalization was voted by one Chamber, the vote stood, even if the other Chamber failed to endorse it.

The rule has since been changed. If one of the Chambers rejects the law of naturalization, the favorable vote of the other Chamber becomes ineffectual, and the whole matter must be gone over again from the beginning. Besides, in contravention to the provisions of the constitution, the Senate accords naturalization only by a two-thirds majority.]

[Roumania, desiring the recognition of her independence by the European Powers, threw dust into their eyes. To mislead them, the government compiled a list of 883 Jews, participants in the war of 1877, on which the Chambers voted as a whole, and in addition 57 persons, voted upon as individuals, were naturalized in 1880. A shameless traffic had established itself; some of the deputies kept open shop, and naturalization was granted to such Jews as paid down cash, a practice which elicited the remark from Kogalnichanu, that "the Jews had not eaten Roumania, but her representatives had eaten many a Jewish purse."]

Thereafter, it was tacitly agreed, no more Jews were to be naturalized. In point of fact, the following figures constitute the tale of Jewish naturalizations since then: 6 Jews naturalized in 1881; 2 in 1882; 2 in 1883; and 18 from 1886 to 1900; in all, 85 Jews in 21 years, 27 of whom have in the meantime died.

[The lot of the above-mentioned 883 soldiers deserves to be told. As no one could set forth his own claims, and as the ministry had arranged the list of names on their own responsibility, it is easy to imagine that the choice was determined by caprice. The survivors of the war for independence were, for the most part, passed over; the dead, however, were inscribed. One could be sure that they would not claim the patents of naturalization, for the good reason that they were

interred in the soil of Bulgaria. As for the survivors, they were required to bring documentary evidence which they could rarely produce. Moreover, the letters patent were sent to the regiments with strict and confidential orders not to deliver them, and more than half of them were later annulled by the Council of ministers. Such was the end of this farce.]

IV

[However, the mere withholding of naturalization from the Jews was not enough. It was necessary to render their life so bitter as to disgust them forever with Roumanian citizenship and land. But as barbarous acts and brutality were apt to make too much noise and arouse the attention of the civilized world, recourse was had to the *law*.

The watchword henceforth was to cut off from the Jew his means of support. Ministers, deputies, senators, and even the press, put their wits to work to propose laws and regulations that would slowly but surely lead to the goal. Under the impulse proceeding from the authorities, the fever took possession even of private individuals. So-called economic societies were formed with the object of embittering the life of the Jews and eliminating them from the country—all summed up in the shibboleth: *Nici un ac de la jidani* ("Do not buy a pin from the Jews").] There is even a vast anti-Semitic league, with Masonic organization, in a country in which whoever exercises the slightest power is nothing more than an avowed anti-Semite.

[Beginning with 1880, restrictive laws are passed. Gradually all the occupations in the hands of the Jews are constituted political rights, which only Roumanians by birth and by naturalization may exercise.] From the disclosure of

motives made by the court reporters, in the debates in the Chambers, and in the ministerial declarations and circulars, it appears, beyond a doubt, that civil, social, and natural rights are transformed into political privileges only for the purpose of smiting the Jews. If the air is not turned into a monopoly, and bottled for the exclusive use of Roumanians and Christians, it is because Roumanian statesmen, in spite of their ingenuity, have **not** yet invented the means of doing it.

V

[The laws and regulations promulgated against the Jews are of diverse kinds. In the first place, they aim at commerce and at the middle-men. The Jews were engaged in business at the exchanges; they acted as the middle-men. The law of July 4, 1881, robbed them of this means of gaining a livelihood; to be a money-broker or a commission merchant, it is necessary to be a Roumanian. The Jews are agents or forwarders; the draft of the law of 1882 made this occupation a political right. The law was passed by the Chambers, but as it affected veritable aliens equally with the Jews, the restricting clause was withdrawn. However, it reserves to the government the right to grant the authorization for the pursuit of these occupations, and this authorization is withheld from Jews as much as possible. And in order that the law may not be circumvented, ministerial circulars of 1896 enjoin commission merchants and shippers not to resort to alien mandataries in their business affairs.]

[Some Jews earned a livelihood by the sale of lottery tickets—the law of January 18, 1883, prohibits lotteries, and from the parliamentary debates it appears clearly that the object of the law was not to put a stop to gambling, not to moralize

the people, but to deprive a thousand Jewish families of their living. Moreover, although tombolas and raffles for charitable purposes are permitted, the government usually turns down applications in behalf of Jewish charitable and educational institutions.]

To ruin a thousand Jewish families assuredly is a meritorious deed, but there is one still more meritorious—to ruin five thousand families. The liberal government brought this result to pass by the law of March 17, 1884, on “peripatetic commerce.” The Jewish peddler of the towns was completely suppressed by the law, and as for his confrère of the country, practical usage did the same for him.

VI

[In order to justify the laws against the middle-men, the argument had been advanced that they competed with the class of stable merchants, though parenthetically it should be said that to a great extent, especially in Moldavia, the regular commerce is in the hands of Jews. The ministry presented a law (1884-85) on the reorganization of the chambers of commerce and trade, which was promulgated March 1, 1886. This law provides that Roumanians by birth or by naturalization alone can serve as electors and are eligible in these chambers; the Jews are excluded from them, because, to quote the court reporter, “a chamber of commerce composed of aliens or Jews cannot well be imagined.”]

[Imbued with these ideas, the compilers of the code of commerce, recast and promulgated May 10, 1887, decreed that in commandite (limited liability) and joint stock companies, the sole manager or, in case there are a number of managers, at least one more than half the managers, as well as one more

than half the auditors and assistants, must be Roumanians. This provision was modified; it was harmful to the interests of the State, and defeated its own purpose. Nevertheless, in the final form, the sole manager, if there is but one, and in other cases one-third of the managers or auditors must be Roumanians, so that Jewish capitalists cannot form limited liability companies for commercial or trade purposes of any kind, even such as have in view educational or benevolent objects. Likewise, they cannot create a commandite company with a Jew as sole manager.]

[The law of February 16, 1887, in turn dealt with the collection of communal revenues. A ministerial circular of 1886 had forbidden the communal authorities to award to Jews the collecting and receiving of communal revenues; this was disastrous to the finances especially of small communities. Accordingly, the law of 1887 did not attack the Jewish farmer of taxes, it contented itself with ruling out Jewish employees; the employees had to be Roumanians, in the possession of political rights. Many a Jewish family thus lost its means of existence. Very soon there was a return to the terms of the circular of 1886, and the law recast in 1889 forbids Jews to farm the communal revenues.]

VII

[Now that the Jew in business had been dealt as severe a blow as the interests of the country permitted, the workingman Jew was taken in hand by the law of May 12, 1887, for the encouragement of manufactures. As it was a question of establishing industries in a country with but few, it was not politic to ostracise Jewish manufacturers, and the whole rigor of the persecution fell upon the workingman.

If a manufacturer wishes to profit by the multifarious advantages of the law, two-thirds of his employees must be Roumanians, and only one-third may be aliens, and when new industries are concerned, the aliens are naturally taken from abroad. Similarly, Jews are excluded wholly from employment on the State railways; the law of February 6, 1899, provides that Roumanians alone shall be admissible to positions connected with their management or their works. The law of March 28, 1900, on railways owned by private corporations, likewise forbids the administration to employ more than forty per cent. of alien officials and workingmen, and as these lines are established exclusively on the territory of rural communes, in which Jews are arbitrarily prohibited from living, Jews cannot benefit even by the forty per cent. exception made in favor of aliens, any more than the manufacturer, if his factory is established in a rural district, may include them in the third part of his workingmen permitted by the law to be aliens.]

VIII

[At the same time with the above, other laws were promulgated, having in view the liberal professions—lawyers, physicians, pharmacists, veterinarians, etc. A spectacle of ferocity was unrolled before the civilized world, ferocity that stopped neither at a Jew sick nor at a Jew in the agony of death.

The law of 1864 had debarred the Jews from entrance into the corporation of lawyers. In order to plead before the tribunals, the courts of appeal and cassation, one must be a member of the bar, a privilege reserved for Roumanians alone. The law of June 8, 1884, in turn deprived the Jews of the

right of pleading before justices of the peace, and in 1894, the same right was withdrawn from the Jewish superintendents of estates.] The purpose was above all to make Jewish managers undesirable to the proprietors and farmers of estates, by stripping them of the ability to represent their employers before the justices of the peace when business requires it, as it frequently does.

[The law on sanitary service of 1885, which was promulgated in its final form on June 14, 1893, is devoted to physicians, veterinarians, pharmacists, whatever relates, intimately or remotely, to public health. No Jew may be employed in the sanitary service in any position whatsoever that depends upon the State, the communes, or any institution which has the least connection with them. At most, the Jew may be engaged as country physician, provided he gives up his place the moment a Roumanian physician claims it. Jews are accepted at hospitals as externs and as interns only in default of Roumanians. In competitive examinations, they are put into the lowest class, no matter if they obtain the best marks. Jewish pharmacists may neither acquire nor manage pharmacies, and pharmacies may employ Jewish apprentices only if they already have one Roumanian apprentice.]
[Jews may not be received as free patients in hospitals, except in case of sickness at once serious and urgent, and as pay patients only so many may be taken in as can be accommodated in ten per cent. of all the beds, provided, of course, that no Christian aliens are applicants for these places reserved for aliens. The same regulation obtains in the private hospitals and in those of the communes, although the Jews contribute to the defrayal of the expenses of the latter.]
After all the above, it is superfluous to add that the Jews are

not admitted to the medical service in the army, and contrary to law, Jewish physicians are forbidden to conduct asylums for the insane.

IX

Beginning with 1893, the persecution assumes a new aspect. To reduce the Jews to misery and famine was not enough; it was necessary to brutalize them. [Up to 1860, the mass of the Jews had lived outside of the circle of modern civilization; the Roumanian governments invited them to enter the schools of the State. They accepted the invitation, and the number of Jewish pupils grew quickly; the primary and secondary schools were literally overrun with them. In 1882 they formed a contingent of fifteen per cent. of the whole number of pupils, and in districts in which Jews lived in large numbers, the Jewish contingent was from thirty to seventy-five per cent. In 1891 the Jewish children constituted thirty-nine per cent. of all pupils. In order to exclude them from the schools the law of May 23, 1893, modified by the law of June 6, 1896, was passed. It provides that instruction in the primary grades shall be free for Roumanians only; aliens are to pay a tuition fee, and even so, they are to be received only if there are places available. Now, there are not enough schools, and the exclusion of the Jews follows.]

[The law of March 23, 1898, in the same way excludes Jews from the secondary and the upper schools, and the law of April 9, 1893, recast March 31, 1899, debars them from all professional and agricultural schools, and admits them only to the schools of commerce and of arts and trades, in which all aliens may at most occupy one-fifth of the total number of places, and that only after the payment of a tuition fee so

exorbitant that it is cynicism to speak of the admission of Jews into these schools.]

[Moreover, when Jews founded schools of their own, obstacles were thrown in their way, and finally, contrary to the law, they were prohibited from teaching on Sundays and Christian feast days, and were forced to keep their schools open on Saturdays and Jewish holidays. The children are forbidden to cover their heads during the lesson in Hebrew.]

X

[Besides the laws, there are the interpellations of deputies and senators, and the ministerial circulars and decisions.

The interpellations bear on all sorts of questions, if only they have connection, immediate or remote, with the Jews. Their object is to urge the scrupulous application of the exceptional laws and to instigate the passage of new laws of the same kind. Sometimes the ministers bring about the interpellation through the agency of friends, with the purpose of giving the protection of parliamentary procedure to arbitrary and persecuting measures. Interpellations are made concerning the invasion of the Jews and the exodus of the Jews, concerning births and mortality, concerning failures in business during commercial crises and monopoly, concerning the influence of the Jews and the lawsuits won by them. There is no subject, however trivial, but furnishes material for an interpellation and opportunity to its author to manifest venomous hatred against the Jews.

The object of the ministerial circulars is to remind the authorities and their subordinates of the punctilious and severe execution of the exceptional laws. Often, too, they serve as the occasion for a Draconian interpretation of legal

provisions, and they are frequently followed by decisions of the Council of ministers which draw closer the iron circle traced around the Jews, and strike them in places not covered by the provisions of the law.]

[The law of March 28, 1873, on spirituous drinks, is a striking example. This law forbids the Jews to sell liquors in the villages. A ministerial circular, approved later by a decision of the Council of ministers, interdicted this traffic to the Jews of the small towns and market-towns, under the pretext that they are rural communes, and so was brought about the ruin of two thousand families.]

[By similar circulars, the tobacco trade was cleared of Jews: gradually the Jewish officials and clerks in the offices under public administration were eliminated, the Jewish workingmen and workingwomen in the public factories were dismissed, and the retail merchants were forbidden to make use of Jewish employees and domestics, although the law of February 3, 1872, provided that only the retailers of tobacco were to be Roumanians. The law of February 28, 1887, sanctioned these arbitrary measures, and fixed penalties for all retail merchants who should take non-Roumanians into their service.

The circulars assume every possible form, and incite the subordinate government officials to all sorts of brutalities.] The law of 1869, concerning the rural police, had ordained that vagrants may not establish themselves in rural communes without the authorization of the communal councils. The communal law of 1887 re-enforced this article by decreeing that whatsoever person wishes to establish himself in a rural commune must obtain the authorization of the communal council. Although these regulations did not have in view persons already established in rural communes, the ministers

periodically send circulars to the prefects, enjoining upon them the expulsion of the Jews from the country districts. The prefects transmit the circulars to the sub-prefects, and these to the communal councils. The last are not slow to invite the Jews to leave their homes within a stated time, sometimes not more than twenty-four or forty-eight hours. Inhuman, barbarous scenes ensue. The doors of Jewish houses are battered down; men, women, and children are piled on carts, their baggage is flung in after them, or sometimes it is looted, and the unfortunates are forced from their hearths at the point of the bayonet, often enough to rap at the gates of towns and find that entrance is denied them.

XI

[The Jews are not driven out from the villages alone. On April 6, 1881, parliament passed the law concerning aliens, which permits the government to expel individuals who trouble the public peace, who endanger the domestic or foreign security of the State, or take part in intrigues with the object of overturning the political or social order at home or abroad. Directed in the first instance against political agitators, this law has been applied to the Jews since 1885; it has become a means of blackmail and fraud in the hands of the politicians and the police agents. A suspicion, a malevolent denunciation, the ill-will of an official, suffices to have a Jew expelled the country within twenty-four hours, by a simple ministerial decision. Journalists, rabbis, merchants, workingmen alike have fallen victims to such proscriptions. Since 1885, the Jews have been living in continual fear of expulsion on the morrow. It is a law of terror and proscription paralleled only in the middle ages.]

Basing their action on this law, the ministry, in 1880 and 1881, issued a regulation concerning tickets of free sojourn. The cabinets of the foreign Powers protested, and the regulation fell into desuetude, as applied to Christians. The Jews not having any protectors, the order continued to be enforced in their case. The agents of the police could molest them, deprive them of their personal liberty, persecute them, without let or hindrance. On their arrival at railway stations, or at ports, they are pressed for tickets of free sojourn, for tickets of identity, for passports. As the police does not give such documents to Jews, its agents arrest them, send them from place to place, and lead them about as vagrants. This regulation, connected with the communal law of 1887, serves as the pretext for expelling Jewish proprietors of houses, or those settled in houses owned by Jews, from the market-towns and the small places.

XII

[The communal councils in their turn persecute the Jews. In vain for the Chambers to naturalize Jews; the communal councils refuse to carry their names on the electoral lists. In some localities these councils vote taxes imposed on Jews exclusively; in others they deny them the ground for cemeteries. (Here they are forbidden to slaughter according to the Jewish rite, and are forced to use the cephalic puncture; there they are deprived of the *gabella*, the revenue of which is applied to the support of charitable undertakings. Elsewhere the communal councils forbid them to bake bread for sale and to sell meat, or at least meat not ritually slaughtered (*kasher*). Here and there the little houses of the Jews are demolished, on pretence of a hygienic measure; or the

councils take possession of the synagogue, the hospital, or other communal building, and withhold the indemnity under the pretext that the Jewish community is not a legal person] Certain councils prohibit the Jews from taking Christian domestics into their service, or they ordain a distinctive costume for Jewish water-carriers, or a distinctive pail for carrying the water on their shoulders. It need hardly be mentioned that the communal councils exclude poor Jews from all the benefits of public charity, and refuse to exempt Jewish benevolent undertakings from taxation.]

XIII

[The police not only is vexatious, it is actually fierce. It breaks into the houses of the Jews, is guilty of excesses, abuses its power, commits outrages and rape. It stabs, maims, and slays at will. Prefects, sub-prefects, commissaries, and sub-commissaries, mere agents, vie with one another in brutality and ruffianism. In one town, the police orders the Jews to paint their doors red and not to make purchases at the market until the Christians have done their marketing. In another town, funeral corteges are stopped, the coffins, the holy vessels, and the synagogues are profaned.] Elsewhere, the police treats Jewish drivers brutally, throws carbolic acid or sulphur into the synagogues, at once closing the doors and posting sentries outside so that the worshippers cannot escape. It draws up a list of offences, and exacts the payment of penalties. The police agents sometimes torture the Jews to such a degree that the press is forced to institute inquiries, and deputies address interpellations to the ministry. They commit murders gaily, but the crime is hushed up; at most, the police agent is temporarily suspended, or a ridicu-

lous punishment is inflicted. Naturally, it is the police that holds up the Jews at the railway stations. In case of complaint, the answer made by the prefect of police at Bukharest in 1883 is returned: "Liberty, equality, and fraternity are for us Roumanians, not for the Jews."

XIV

Roumanian justice inclines the scales to the side opposed to the Jews. Many an assassin has been acquitted by a jury after pleadings that are a disgrace to civilization. A Jew has been assassinated by a Roumanian? asks the lawyer. What of it? Only one leech the less. Such is the justice of the people.

[Whenever possible, the state's attorney fails to prosecute, or prosecutes mildly, those who have committed criminal acts against the Jews, though he lays a heavy hand upon Jews who have made themselves liable to prosecution. The court of assizes does not always do better; its attitude towards Jewish business failures in crises is revolting. It holds out as long as possible against declaring a Roumanian with Jewish creditors insolvent, but a Jew is generally condemned as a bankrupt. However, this is not always the fault of the court. Is it not within our ken that judges were dismissed because they seemed to the minister to have rendered judgments favorable to the Jews, and have not ministers of justice issued circulars demanding statistics on suits at law in order to discover the number of Jews that have won suits in proportion to Christians?] Moreover, justice condemns the Jews at random. The oath *more judaico* flourishes in the most disgraceful form: the bath, the cutting of nails, tapers, blasphemies, all is imposed upon the most respectable Jews, and

the rabbis who refuse to countenance these outrageous practices are condemned. [And what impudence, what iniquity, when these rabbis appear before the judges! This president cuts off a Jewish witness brusquely, and orders the windows to be opened after he leaves, to dissipate the odor of onions and garlic; another president insults the Jews when they present themselves to regulate certain acts. Judges have been heard to say that they could see their way clear when a Jew and a Christian were arraigned before them, but that they were embarrassed when both suitors were Jews; how were they to proceed to ruin the one as well as the other?]

XV

[The temple of instruction is not any better than the temple of justice. The school is a galley, which a Jewish child enters with an oppressed heart, and leaves with tears on its cheeks, broken physically and morally. Even before the day of academic laws, pupils and teachers embittered the life of the Jews. The pupils tortured them physically, and the teachers spiritually, by means of vulgar expressions, allusions, direct and indirect, which inflamed the hatred of their Christian companions, and wounded their sensibilities to the quick. Since the passage of the restrictive laws, it is still worse.]

Private individuals, encouraged by the example of all invested with the slightest modicum of power, made it their duty to imitate them. It is not astonishing, then, that here, there, and everywhere the silly ritual murder charge starts up, that synagogues are desecrated, that Jews are brutally treated, that pleasure is taken in insulting Jewish funeral corteges. Whenever the occasion presents itself, soldiers and civilians strike the Jews down, emasculate them, beat them unmerci-

fully, and kill them. The director of a paper factory, in Bakau, attained to celebrity by tattooing Jewish drivers. Bands of pillagers and cutthroats are formed, and at times when the police and the government find it necessary to revive their popularity, disgusting scenes are enacted, as at Botoshani, in 1890, or riots are fomented in the populace, as at Bukharest in 1897 and at Jassy in 1898. For several hours there was fighting, merciless blows, pillaging, and devastation, all under the paternal eye of the police authorities and the army, which interfered only to hinder the Jews from defending themselves.

XVI

[But the very Jew who is refused the rights of a man and a citizen; who is robbed of the means of living; who is persecuted by everybody; who is without land and without protection; that Jew is considered good enough to serve as food for powder. Consequently the recruiting law applies to him.

Before the Treaty of Berlin the Jews were recruited like Roumanians, aliens were excluded from the military service. After the Treaty, and before the invention of the jesuitical formula, "aliens not subject to alien protection," there was perplexity. The Jews were turned down as recruits between 1878 and 1882. Those who had enlisted were dismissed, and those who presented themselves as recruits were made by main force to put their signature to documents stating that being aliens they did not wish to serve in the army. In December, 1882, the law of military service was changed. An article was inserted providing that the children of aliens born in the country cannot be exempted from the service, unless they affirm that they are under obligations to render military ser-

vice in another country. By virtue of this cynical remodeling of the law, making it a worthy companion law to Article 7 of the constitution in its jesuitical modification, Jews are accepted as recruits. And a prefect could dare say to a body of Jewish recruits that during the time of service they were soldiers, and Jews after their time was up.]

[Thus it comes about that thirty thousand Jews, forming part of the army in active service, of the reserves, and of the militia, Jews though they be, bear the cross of Calvary, yet they may not, even under the flag, forget their character as Jews. According to law, they cannot advance beyond the grade of a non-commissioned officer; the other grades are closed to them. The caprice and unlimited power of some of the chiefs prevent them from reaching even these modest honors. Nor is that all: chicanery, brutality, persecution, ruffianism, are practiced upon the Jew in the army as upon the Jew elsewhere. He drags his character as Jew with him like a cannon ball. From the general down to the corporal, everybody maltreats him. Often enough it happens while he is serving his country in the army, that the authorities pitilessly chase his old father, his old mother, his wife, and his children from their homes in the villages or the market-towns.

Military justice is even harsher towards the Jew than civil justice.]

XVII.

The impossible situation into which the Roumanian Jews have been put suggested to them the idea of emigration. It is a general scramble for safety, and the economic crisis of 1899 merely accentuated it.

[The idea of emigration was for the first time thrown out

in 1872. To the atrocities and barbarous persecutions of 1867-1870—brutal expulsions from villages, annoyances of all kinds, and *noyades*—there were added, in 1871, the riots of Kahul, Vilkow, and Ismail, the end of which was the acquittal of the guilty and the condemnation of the Jews. Benjamin F. Peixotto, consul-general of the United States at Bukharest, in agreement with his friends in America, then requested the Roumanian government to countenance emigration to the United States. The government cynically assented, and had Prince Charles sign a decree according free passports to poor Jews who should leave Roumania. Few persons made use of them; about thirty families found their way across the sea. This was the beginning of Roumanian-Jewish settlements in the United States.]

For some years, the emigration movement subsided; here and there a few families left the country at their own expense. After the Treaty of Berlin, however, when the persecuting spirit was gradually embodied in the laws, the aspect of affairs changed. The closing of inns in market-towns (1881) and the continual expulsions from the villages ruined thousands of families. At that time, the Palestinian project agitated the minds of the unfortunates, and was warmly espoused by all of them. Colonization societies were founded, several hundreds of individuals left for Palestine, and founded the first agricultural colony there (1882). Other families betook themselves to the United States. The number of immigrants in that year was approximately 3500 souls.

Since that time emigration is the only refuge. The law on peddling cut off a living from twenty thousand souls, the expulsions from the villages continued, the misery was enormous in 1884. Committees were formed in Roumania to aid

those who could no longer support themselves. Some of the impoverished left the country on foot, entreating the help of their coreligionists in comfortable circumstances. Many of them directed their steps towards the United States, others towards the principal cities of Europe, in which they founded important colonies, notably in London and in Paris. The movement revived again in 1886-1887, seven thousand persons emigrating during those two years.

The laws whose enactment followed in rapid succession increased the number of candidates for starvation, and emigration became regular and continuous. There are no official statistics of emigration, but it is safe to estimate the number of emigrants from 1882 to 1894 at 45,000 souls at the lowest.

[According to the official statistics of 1876, there were 218,304 Jews in Roumania. The excess of births over deaths from 1876 to 1894 being 70,408, the number of Jews at the end of 1894 ought to have been 288,712. But the census of December, 1894, shows only 243,225 souls, that is, 45,487 less than the number expected. Again, the total of Roumanian immigrants disembarking at New York, from 1882 to 1895, is about 11,700, and these figures are incomplete.]

The financial and economic crisis which overtook Roumania in 1899, growing worse in 1900, and which is not yet relieved, but added fuel to the flame. It took the bread out of the mouths of those left unaffected by the exceptional laws and the persecution. The fever of emigration transformed itself into a delirium. All the Jews wanted to leave, leave the hellish country in which life had become intolerable. Groups of tatterdemalions and starvelings, stripped of all means, formed themselves, and left the country afoot, to beg their way to the seaports. Those who were still in possession

of a few remnants of their fortune, sold all and emigrated at their own expense. They repaired to Turkey, to France, to England, to Canada, to the United States. At New York alone nearly nine thousand of the unfortunates were disembarked. Thus a living illustration of the misery of the Jews in Roumania was afforded Europe and America; and their coreligionists abroad are in a position to judge of the beneficent consequences of the Treaty of Berlin.