Hamburg’s Jews Take Permanent Family Names

SOURCE DESCRIPTION

When Hamburg’s council granted the city’s Jews permission to acquire the right of citizenship[1] in 1849, this step was tied to the obligation to take permanent first and family names or have existing names recorded. Formulating this decree at a rather late date, Hamburg brought up the rear in a development that had been completed in most parts of Europe decades earlier. Moreover, it meant that the very development two committed, reform-minded Jews had sought to prevent a year earlier had come to pass, namely that such a decree was initiated by the non-Jewish authorities rather than by the Jews themselves in their fight for gaining civil rights. In May of the revolutionary year 1848, which welcomed many reforms, congregation secretary Moses Martin Haarbleicher and registrar Zebi Hirsch May (1801–1878) had presented their suggestions for reform to the board of the German-Israelite Congregation. They complained that a minority among Hamburg’s Jews still did not use a permanent family name, which caused a lot of “disorder” (p. 1). Haarbleicher and May’s three-page letter provides insight into the very complicated and lengthy process of the adoption of permanent family names among Hamburg’s Jews.

Until the age of beginning emancipation and acculturation, the naming system of Central Europe’s Jews differed from that of the Christian majority society. While permanent and hereditary family names had developed in the Christian population since the Middle Ages and their use was largely uncontested in the 18th century, such a development had not occurred among the majority of Ashkenazi Jews. They continued to use only a personal first name to which a patronym was added, i.e. the father’s first name (thus Samuel Moses means Samuel, son of Moses; Sprinze Hirsch equals Sprinze, daughter of Hirsch). Sometimes surnames referring to a person’s origin (Dessauer) [2] or profession (Goldschmidt) [3] were used, but usually they were not hereditary. Therefore Jews were often known by several different names in everyday life, which could lead to some confusion.

The introduction of Jewish family names in Europe

In the introduction to their letter Haarbleicher and May mention that the inconsistent naming among Jews was a “bad nuisance” (p. 1) that had long been remedied in most German states. They explicitly refer to the neighboring Napoleonic Kingdom of Westphalia, but also to Austria and Poland. Between 1787 and 1814, most Central and Eastern European states had passed laws ordering the Jews to take a permanent first and last name in order to remove precisely this "disorder" (p. 1). Such laws were passed in order to improve the governability and taxability of the Jewish population. The modern administrative state required modern instruments in order to control and tax the Jews as much as possible. By comparison, later laws were essentially inspired by the ideas of the French Revolution and thus pursued an ideological agenda: in the
spirit of the Enlightenment and modern civil rights, discriminating legislation was supposed to be dismantled and the Jews to be given equality with the Christian majority population. The alignment of naming systems was considered an integral precondition for this step. After Austria (1787) and the Grand Duchy of Frankfurt (1807), the Kingdom of Westphalia became the first German state to pass such a law (March 31st, 1808); even before France did so (July 20, 1808). Most German states followed this example by publishing similar decrees in the next years (Prussia in 1812, for example). While modern naming laws in most Central European states led to the creation of thousands of family names for Jews for the first time, decades later Hamburg still remained "basically singled out" (p. 1), for which there were many reasons.

Naming law in Hamburg

On the one hand, permanent and hereditary family names had developed among Hamburg’s Jews much sooner than elsewhere. The reason for this may have been the size of the community, which, numbering more than 6,300 members around 1800, was one of the largest Jewish communities in Germany. In other major cities (such as Frankfurt am Main and Prague), too, Jews took family names early on. Even before the age of emancipation, the Jewish elites in particular tended to adjust their customs and outward appearance to that of their Christian peers, and as an international trade hub, Hamburg represented an ideal environment for this trend. The Jews stemming from Portugal and Spain (Sephardim) had also begun assuming hereditary family names long before settling in Hamburg in the 17th century. Those among them who had remained on the Iberian Peninsula after 1492/96 had been forced to get baptized and integrate into Catholic society, which included taking family names. After their escape and public return to Judaism, they retained their Portuguese and Spanish family names in their new home countries and passed them on to their children (Belmonte and Fonseca, for example). While the Sephardic Jews did not belong to the German-Israelite Congregation, the influence of their customs was felt also among Ashkenazi Jews. In the era of naming laws, a large number among Hamburg’s Jews, whether Sephardic or Ashkenazi, therefore already had permanent and hereditary family names, so that there was no pressing need for a law to that effect initially. This fact is not discussed by the authors, however, who assume that it is common knowledge.

The role of Altona’s Jewish congregation

Haarbleicher and May go on to claim that the anti-modern influence exerted by the “entirely medieval” (p. 1) Jewish congregation of Altona had prevented a naming law. In doing so, they point to the different levels of acculturation [4], but also to different political camps within the very heterogeneous triple congregation[5] of Altona-Hamburg-Wandsbek (AHU [ ]). Until 1812, Hamburg’s Ashkenazi Jews were supervised by the Chief Rabbi of Altona, who was generally opposed to the Jewish Enlightenment and modernization movements overall, which in turn explains the negative position of Hamburg’s reform-minded Jews. Altona belonged to the Kingdom of Denmark, which passed a naming law on March 29, 1814 that ended debates on the subject. To what extent conflicts within the Jewish community played a part in the prevention of a naming law is unclear.

Naming law under French rule

Haarbleicher and May also surmise that a naming law would have been introduced earlier if “Hamburg had
remained French a little longer” (p. 1). This assessment, quite likely correct, points to a complicated historical constellation: when Hamburg came under French rule in 1806, the city was initially considered under occupation in legal terms; the French naming law of July 20, 1808 therefore did not apply. After Hamburg and France’s other Hanseatic possessions were integrated into the empire in 1811, however, the French naming law was introduced in the Hanseatic Departements on January 12, 1813. While there are examples for this process from Emden, for example, Hamburg’s Jews do not seem to have taken official names at the time, however. Why this law was not applied in Hamburg remains unknown. It is likely that the events of the year 1813, which was shaped by changing rule and a lengthy occupation of the city made the implementation of the naming law seem a marginal matter.

**The failed naming law of 1814**

Shortly after the end of French rule, the senate launched another attempt at regulating naming and reordering civic circumstances among the Jews. However, the city assembly rejected the senate’s proposal of October 20, 1814. If passed, it would have obligated Jews wanting to acquire the rights of citizenship to take a permanent family name. Until this renewed attempt made 35 years later by two Jewish Congregation employees, the old order and the "provisional solution" (p. 1) remained in effect.

**An era of Jewish reform movements**

The timing of Haarbleicher and May’s reform proposal was by no means arbitrary. Since 1843 a senate commission had been working to improve the Jews’ civil rights situation. This commission also debated the issue of Jewish family names, and among the expert opinions they heard was that of Zebi Hirsch May, who vehemently advocated for a law prescribing the Jews’ adoption of permanent names. He argued that in all states lacking such a law this gap was exploited for all sorts of violations, quoting the common stereotype that Jews used their different names to swindle. The revolutionary year 1848 in turn stands for the well-founded hope among German Jews that “the moment had come” (p. 2) to improve existing circumstances and fight for complete civic equality. Hamburg resident Gabriel Riesser, delegate to the German National Assembly since May 1848, had argued for years that Jews would have to fight for their rights themselves. Thus Haarbleicher and May’s text stems from a time of ascent and self-confidence in the Jewish reform movement, whose “more acute civic awareness” (p. 2) the authors attest to. They express this self-confidence when they recommend to the congregation’s board not to wait for a draft law from Frankfurt or "from the Hamburg side," but to take the initiative themselves instead in order to prove that as reform-minded Jews it was in their interest to “gladly eliminate actual nuisances” (p. 2).

**Last names as civic attributes**

The argument for the necessity of a naming law given by Haarbleicher and May is both interesting and telling. They primarily allude to the economic dimension of names and criticize the “harmful arbitrariness and disorder” (p. 1) in this area. Just like a trade name, a permanent family name should be more than just an accessory, they write. It should be a permanent part of one’s identity that one could not change deliberately; it should be an emblem representing its bearer’s reputation to the outside world. They seem to be puzzled by the fact that “a quarter” (p. 1) of Hamburg’s Jews probably still did not use a permanent
name, and that there were some rotten apples both “among the poorer class” (p. 1) and the merchants. Therefore the fight for the adjustment of the naming system was an expression of a politically self-confident and economically successful Jewish middle and upper class aiming for its integration into the bourgeoisie. One’s name represented a social category considered indispensable in the business world as well as for entry into the civic sphere. It also served to set oneself apart from the poor and traditional strata of Jewish society, whom the authors did not yet consider ready for participation in the political process.

The civic emancipation of Hamburg’s Jews

The reform proposal met with approval by the German-Israelite Congregation’s board, who forwarded it to the Hamburg council. Before it could be implemented, however, action was taken by a different entity: in December 1848, the Frankfurt National Assembly had proclaimed the basic rights of the German people, whose section 16 included the emancipation of the Jews. The Hamburg council quickly adopted these suggestions and in its provisional decree of February 21, 1849 proclaimed the implementation of section 16 and the permission for Jews to acquire the right of citizenship in Hamburg. In order to acquire the right of citizenship[7], the Jews were now legally required to take permanent family names (article 2). However, this was merely a provisional measure: Jews who did not want to acquire citizenship still were not required to take a permanent family name. Moreover, the obligation to take a family name was modified in 1854 and again in 1864, so that the senate felt the need to appoint a commission to decide on disputes involving names as late as 1880. Thus Haarbleicher and May were overtaken by decision-makers in Frankfurt and Hamburg in the end. Just as they had feared, the result consisted in a disappointing patchwork of provisional and non-universal decrees that ultimately did not reflect the commitment of Hamburg’s modern and reform-minded Jewish middle class.

Select Bibliography

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Selected English Titles

Notes

[1] The right of self-government; the precondition for acquiring civic rights was inherited real property, the swearing of a citizen's oath, and the one-time payment of "Bürgergeld" [citizenship fee]; members of the nobility were excluded from this; until 1814 citizenship was granted exclusively to members of the Lutheran church [see: Helmut Stubbe-da Luz, Bürgerrecht, in: Franklin Kopitzsch / Daniel Tilger (eds.), Hamburg Lexikon, Hamburg 1998, pp. 92f.]

[2] from Dessau

[3] goldsmith

[4] The adoption of elements from another culture by an individual or a group; process of cultural modification

[5] Dreigemeinde

[6] The right of self-government; the precondition for acquiring civic rights was inherited real property, the swearing of a citizen’s oath, and the one-time payment of "Bürgergeld" [citizenship fee]; members of the nobility were excluded from this; until 1814 citizenship was granted exclusively to members of the Lutheran church [see: Helmut Stubbe-da Luz, Bürgerrecht, in: Franklin Kopitzsch / Daniel Tilger (eds.), Hamburg Lexikon, Hamburg 1998, pp. 92f.]

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