A sixteenth-century chronicler, Joseph Ha-Cohen (1496–1578), a physician from Avignon and Genoa, saw in Luther ‘a man of understanding and wisdom ... [who] ... spoke openly and aloud against the Pope and against his dreams and the morals of the Popes – only to that man [Jesus] did he cleave – and many rallied to him ... and they did not follow the religion of the Popes and to this day their doctrine has become two doctrines’.

R. David Gans (1541–1613), in his chronicle *Tsemah David* (first published Prague, 1592) wrote with unmistakable sympathy of the Peasants’ Revolt of 1525 and its anti-clerical impetus. In Luther he saw

a great scholar [who] ... walked in the path of John Huss ... He broke the laws of the Pope, destroyed the unity of the Christians and prepared to destroy and burn the statues. He believed one should not pray to Mary, the mother of their Messiah, nor to the twelve apostles.¹

These writers, and their contemporary sympathisers, would have found their views vindicated in the seventeenth century, though not precisely in the way they had hoped. Following the Treaties of Westphalia of 1648, in major areas of the heartland – in Brandenburg-Prussia, Saxony, Hanover – as a result of religious division, Jews no longer constituted the sole minority and therefore did not stand out as sole dissenters from the majority. Important also in ameliorating their situation was the spread of the politics of *raison d’état*, which called for support, irrespective of source, and which is effectively equivalent to a secularization of politics and the neutralization of the religious factor. The spread of mercantilist ideas and the extension of the cash nexus between Jew and Christian gave further impetus to both these aspects. The work of Bodin and the ‘politiques’ in the sixteenth century and of Hobbes, say, in the seventeenth, pointed to the dangers associated with a religiously dominated polity.

These factors were to be less influential in those areas (for example the Habsburg empire) where the Counter-Reformation prevailed, the
consequences of which can be seen in the expulsion – albeit short-lived – of Jews from Vienna (1670–1) and from Prague (1744–5). Negative also was the liberty that territorial rulers enjoyed to determine the religion of their subjects (cuius regio ejus religio). Conversionist policies did re-emerge at the end of the seventeenth and beginning of the eighteenth centuries. In Rome, Carpentras and Vienna this task was well under way. In the German states many a ruler not only cared for the spiritual welfare of his subjects but found in the Christian ordering of the state and the enforcement of the Christian calendar a means to foster politico-social harmony which the Jewish presence would eo ipso disturb. Hence the numerous attempts to segregate Jews and Christians at times of religious fervour and celebration, and the censorship of Hebrew literature. Thus religious preoccupations on the ruler's part determined to a large extent the content of the Ordnung or terms of settlement. In the duchy of Hesse-Darmstadt for example, a toleration patent of 1692 disallowed worship except in private dwellings, remote from church or school. The services must not be audible from the street and the ram's horn must not be sounded in public. Elsewhere movement was generally restricted, especially on the Christian Sabbath and holidays. The letters of protection in the duchy were distributed individually dependent on the possession of assets to at least the value of 600 gulden and the ability to write and read German (1728, 1737). Numerous decrees prohibited Jews from trading on the Christian Sabbath or required them to remain indoors during Christian festival processions. In Pforzheim in 1672 a Jew who drove cattle through the town on a Sunday during the midday sermon had to pay a fine of 6 kreuzer. The Jews of Worms could not leave their ghetto on Christian holidays except for funerals. The counts of Erbach in the Odenwald not only prohibited Jewish trade on Christian Sabbaths and holidays but also banned Christians from entering Jewish dwellings at those times.3

In conformity with this approach the destruction of the post-war community of Vienna in 1670–1 exemplifies the negative effects of the Treaties of Westphalia. The Jews shared in the fate of the Protestants, for the Treaties of Westphalia gave Emperor Ferdinand III carte blanche to impose Catholic uniformity in Bohemia, Moravia and the Austrian duchies. This constituted a partial victory for the forces of the Counter-Reformation and implied the acceptance of Protestant dominance to the north as a quid pro quo. The emperor was free to expel the remaining Protestants from Bohemia, to force the Lutheran peasantry of Lower Austria to choose between conversion and exile and to suppress the Protestants in Hungary. In 1666 Leopold engineered the expulsion from Vienna of the Danish minister for his part in authorizing the secret celebration of a Lutheran service.4 It was hardly realistic to suppose that Austrian Jewry would escape untouched, all the less so as the policy of the state converged with popular antisemitism. Not that the court itself was also not rife with superstition – that the Jews had