

KAHAL, an executive board that was chosen to run an autonomous Jewish community. A *kahal* served as a Jewish community council, or as a decision-making committee of a *kehilah*. Throughout the history of the Jewish Diaspora, even before the destruction of the Second Temple in 70 CE, the Jewish community was organized as a self-governing community, running its internal affairs according to its own laws, later codified as *halakhah* and continuously amended and supplemented by time-bound statutes and legislation known as *takanot*. This autonomy was not idiosyncratic or specific to Jews, but conformed to the basic organization of the premodern state, whether in ancient Rome, medieval Christendom, or Islam. This structure was also present in early modern Europe, in which society as a whole was divided into corporations and estates, including the nobility, the clergy, the peasantry, the townspeople, and the Jews. Each estate had its own specific code of laws, its own courts, and its own tax obligation and collection systems (or relief from such obligations).

The system of Jewish autonomy and the recognition of Jewish law guiding that autonomy came to Eastern Europe in the late twelfth and early thirteenth centuries, as Jews from Central and Western Europe were granted protection by Polish rulers in the form of privileges or charters that guaranteed such self-sufficiency. The earliest of these was the Charter of Bolesław the Pious, granted in 1264. This autonomy was primarily juridical but extended to all aspects of Jewish life except for capital crimes. The name used by Jews in Hebrew and later in Yiddish to signify the Jewish community was *kehilah*. Frequently, and especially in Eastern Europe, the executive board that was selected to manage the autonomous community was called the *kahal* (though at times the terms *kahal* and *kehilah* were used interchangeably, thus creating a great deal of confusion; this was especially the case in Sephardic communities, where each synagogue generally constituted its own *kahal*).

Although we lack extensive documentation about the methods by which the *kahal* was chosen throughout the late medieval and early modern periods, the surviving records—the most informative of which are from the cities of Poznań and Kraków in the late sixteenth and early seventeenth centuries—demonstrate an oligarchic system in which the *kehilah* was formed by the property-owning and hence tax-paying male population of the Jewish community. An electoral college drawn from members of the *kehilah* would choose an executive committee, again most often called the *kahal*, who served normally for one-year terms, often renewed, with officers in a tripartite division (paralleling the structure of Christian municipal councils) of *roshim* (3–5 “heads” who rotated as the *parnas*, or chair, monthly), *tovim* (3–5 “good men”), and counselors (up to 40, also, confusingly, called *kahal*). All indications are that these positions, and thus control of the *kahal* itself, was largely in the hands of the more prosperous members of the Jewish

communities, who were often connected to the rabbinical leadership through marriage.

This structure, however, led to the situation in which rabbis and other religious functionaries—*shtadlanim* (intercessors–lobbyists), cantors, ritual slaughterers, circumcisers, sextons, or beadles—were always paid employees of the community, hired and fired by the *kahal*, which negotiated their salaries and terms of employment. This frequently gave rise to power struggles between lay leaders and rabbinic authorities. Though the latter claimed greater spiritual authority and knowledge of Jewish law, they were often subservient for practical reasons to the laity. Ultimate power thus continued to reside in the lay leadership, and particularly in the hands of the *kahal* itself.

Beyond hiring the religious leadership, the *kahal*'s duties importantly included the appropriation, within the Jewish community, of the collective tax burden negotiated by the lay leadership with the king (or local lords) and imposed on the community rather than on each individual; these were frequently administered by a tax farmer under contract from the *kahal* (or, in many cases, by a member of the *kahal* leadership himself). Other taxes were introduced in the seventeenth century, specifically the indirect charges on kosher meat and businesses; these, too, were under the control of the *kahal* authorities and served as the basic sources of revenue for running the institutions of Jewish life. Taxes and other “payments” also went to the municipality and to powerful individuals.

The *kahal*'s other important powers included negotiations with governmental authorities, ransoming of captives, and dealing with other Jewish communities in matters that were supracommunal in nature. The structure for dealing with these issues was especially well-organized in Eastern Europe with the establishment of the Council of Four Lands and the Council of Lithuania, at which members of the *kahal* of individual communities nominated representatives to supracommunal councils that met twice yearly at the most important trade fairs of Poland–Lithuania, where provincial parliaments of the local nobility also convened. Lay councils convened with parallel rabbinic councils, but here, too, the power of the lay councils was far greater than that of their rabbinic employees.

This picture began to change in the late sixteenth and early seventeenth centuries, for a variety of reasons. First and foremost, considerable numbers of Jews began to move to large estates in Ukraine that had been annexed to Poland by the union of that state and Lithuania; the properties were mainly held by Polish and Lithuanian absentee landlords. These landlords hired Jews to administer the estates and, more often, to manage monopolies on mills, fishponds, and especially the production, distribution, and sale of alcoholic beverages for the local, recently enserfed peasant populations. As a result, more and more Jews began to live in isolated villages and rural settlements without an established Jewish

community. In many of these places, formal Jewish communities were eventually established, replicating the communal organization of *kahal* and *kehilah*, but this was a long, drawn-out, and erratic process, beyond the control of communal and rabbinic leadership in the established parts of the Commonwealth.

Second, beginning in the latter years of the seventeenth century and extending into the eighteenth, the entire political system of the Polish–Lithuanian Commonwealth in which Jewish autonomy was ensconced began to flounder, as internal affairs increasingly came under the control of foreign powers, especially Russia, and the great magnate aristocratic families of Poland radically minimized the powers both of the monarchy and of the local, smaller nobility. In turn, the nobility began to meddle into the internal workings of the Jewish community, to some extent vitiating the traditional powers of the *kahal* leadership.

At the same time, and perhaps connected to the progressive destabilization of the Polish political system as a whole, Jews began to abrogate the rabbinic restriction about appealing to gentile courts, thus bypassing the *kahal* and the Jewish court system for adjudication by other courts and ruling authorities. While the leaders of the *kahals* and the rabbis protested against this profound dereliction of age-old communal authority, they were effectively helpless in countering this trend, and especially so after the powers of the Council of Four Lands themselves had diminished, culminating in the Councils' abolition in 1764. Finally, in the last years of the seventeenth and the early years of the eighteenth century, individual wealthy Jews with ties to powerful local lords were often protected against the power of the autonomous Jewish community. Power thus began to move from the community to the individual, if still only to a tiny number of very wealthy individuals, or for exceptional cases such as physicians who served the monarchy or great magnate families.

A further serious challenge to the authority of the *kahal* emerged with the rise of Hasidism in the second half of the eighteenth century. While recent scholarship has tended to revise and reject previous theories about Hasidism's *raison d'être* as a social and economic protest movement against the *kahal* and rabbinic leadership, there is no question that in its first generations, Hasidism's shifting of the locus of authority and spirituality in Jewish life from the rabbinate and the community to the court of the *tsadik* or *rebbe* severely challenged the centrality and supremacy of local leadership, including over such crucial functions as supervision of kosher slaughtering.

Given the rapid victory of Hasidism in most parts of East European Jewry, within a few decades the local leadership, including the *kahal*, was by force of circumstances in the hands of Hasidim, and some scholars have therefore argued that ultimately Hasidism strengthened, rather than weakened, the power and authority of the *kahal*. That thesis, however, is severely complicated by the overarching challenge that soon emerged not only

to the powers of the *kahal*, but to its very existence itself: the transfer of East European Jewry to the empires of Russia, Prussia, and Austria, as a result of the partitions of Poland–Lithuania in 1772, 1793, and 1795.

In the Austrian and Prussian territories, the autonomy of the Jewish community was from the start substantially diminished by the ruling governments, which, under the ideology of Enlightened Absolutism, attempted to standardize control and organization of all institutions in these lands, including the Jewish community. The governments therefore intervened more and more into the daily workings of the Jewish community in realms that included taxation, education, and most crucially, population control, establishing specific numbers of Jews permitted to marry and reside in individual communities, with highly restrictive guidelines and penalties that effectively ended the autonomy of the Jewish community, and the authority of the local *kahal*, in these crucial aspects of daily life.

In the Austrian lands, including Galicia, military conscription for Jews was introduced, further eviscerating the legal and social autonomy of the Jewish community and the power of the *kahal*. Moreover, especially in Prussia but soon in Austrian Galicia as well, the wealthier and more westernized elements of the Jewish community were given a special status that effectively separated them from control by the *kahal*, or on occasion, from even formal membership in the *kehilah*. This trend was reinforced in Prussian Poland with the promulgation, in 1831, of a law permitting Jewish naturalization, resulting in the mass migration of the majority of the Jewish population to Prussia proper, and especially to Berlin. While, in theory, the legal autonomy of the Jewish community remained intact until the emancipation of Prussian and Austrian Jewries in 1869 and 1871, the province of the Jewish community became limited to narrowly defined religious concerns, and hence the power and authority of the *kahal* dwindled almost to the point of extinction.

In the largest territories of the former Polish–Lithuanian Commonwealth (the areas conquered by the Russian governments), a firm distinction must be drawn between the fate of the *kahal* in the Kingdom of Poland, also known as Congress Poland, and in the lands formally annexed to the Russian Empire, soon to be known as the Pale of Settlement. In the Polish Kingdom, the autonomy of the Jewish community, and hence that of the *kahal*, followed the pattern set in Prussia and Austria. Jewish autonomy was considerably encroached upon by the local authorities, culminating in the formal abolition of their independence, and hence of the *kahal*, in 1822.

As in Germany, Austria, and the West, Jews were now redefined as members of religious communities, whose strictly religious affairs were to be administered by a new committee that replaced the *kahal*. Matters such as military conscription were removed from the purview of the religious Jewish community, but since taxation was not, it is difficult to know, pending further study, precisely how the newly organized executive boards of Polish–Jewish

communities differed from the *kahal* (which Jews nonetheless persisted in calling their communal leaders).

Crucial to the Polish case (as opposed to that of the Pale of Settlement) was the fact that control over the new religious communities—and the pseudo-*kahal* that ran them—was divided between representatives of the major Hasidic courts, which wielded enormous power among Polish Jewry, and the wealthier segments of the Jewish community, who had become Polonized and were distant from the needs of the masses of Jews. This strange coalition of Hasidim and so-called “assimilationists” running the Jewish community persisted in Congress Poland throughout the late nineteenth and early twentieth centuries, and even after the fundamental legal distinction between the Polish Kingdom and the Russian Empire proper had been effaced by tsarist authorities in the wake of the Polish Uprising of 1863.

In the territories directly annexed to the Russian Empire (soon called the Pale of Settlement proper), the *kahal*'s authority was ratified in the first decades by the tsars. However, the more westernized members of the monarchy's cabinets, who were influenced by Polish, Central, and West European models, continually suggested abolishing the *kahal* altogether. Thus, the first comprehensive Statute on the Jews, issued by the regime of Alexander I in 1804, maintained the legal autonomy of the Jewish community and the *kahal* structure, even as it called for more governmental intervention into the internal workings of the Jewish community, especially the appointment and qualifications of rabbis. In theory more than in practice, the government now allowed Jews to enter non-Jewish educational institutions.

Soon the powers of the *kahal* were dramatically enhanced (though they were immeasurably complicated) by changes in the rules about military service. Beginning in 1827, Jews were no longer exempt from the obligation to serve in the armed forces. In imperial Russia, conscription was organized communally (until the introduction of universal male conscription in 1874), and hence the requirement to select Jews for military service—which was age 25 for all conscripts under Nicholas I—fell upon the *kahal* leadership. In addition, these leaders were given the option of drafting children under age 18 to serve in the so-called Cantonist battalions created by Peter the Great, requiring such boys to serve until they reached the age of majority and began their 25-year service. [See Military Service in Russia.]

Given the fact that many, if not most, Jewish males were already married and fathers of children by age 21, *kahal* leaders often drafted children instead of fathers or potential fathers. Moreover, the leaders protected their own sons and the sons of other well-to-do and learned families within the Jewish community from the draft and from the all-but-certain consequent loss to Judaism. The resultant uneven burden of the draft levies on the children of the poor, the powerless, and the unlearned led to a crisis of

authority for the *kahal* in internal Jewish life, from which it never truly recovered. At the same time, the forces in the Russian government that considered the *kahal* to be one of the main sources that segregated Jews from the population at large finally held sway over the emperor. The *kahal* was consequently formally abolished throughout the Russian Empire on December 19, 1844.

This act, however, has more often than not been misunderstood in scholarly literature, since it was only the *kahal* itself, and not the autonomous Jewish community, that was abolished. Thus, a legally amorphous and self-contradictory situation emerged, in which the Jewish community was redefined as just a religious community whose leaders were merely to control matters affecting their “cult”; at the same time, however, that community was still an autonomous legal entity, responsible for its separate taxation and draft levies and for the policing of its members. Nonetheless, the *kahal* now lacked an executive leadership, whose functions were supposed to be taken over by the local organs of municipal government. Insofar as we can reconstruct the history of Jewish communal governance in post-1844 Russia, this impossible legal morass (hardly idiosyncratic in the Russian Empire) led to the continuation of the *kahal*'s existence, but extralegally: the *kahal* continued to run the internal affairs of the Jewish community, including taxation and conscription, but did so outside the law and, in fact, in opposition to that law.

This situation became even more complex after the publication in 1869 of an antisemitic tract by Jacob Brahman, a Jewish convert to Russian Orthodoxy, who argued not only that Jews had illegally maintained *kahals*, but that these were at the heart of an international Jewish conspiracy aimed at persecuting gentiles and specifically destroying the tsarist regime. As a result, Jewish communities dedicated themselves even more assiduously to denying that the *kahal* still existed, and hid the ways in which they governed themselves. This situation basically obtained until the end of the tsarist regime in 1917, though after the Revolution of 1905 the organization of Jewish communities became more and more standardized and legalized.

By that time, however, authority in these communities had passed significantly to a new generation of lay leaders, either of the new bourgeoisie or the nationalist intelligentsia, and bore little or no resemblance to the *kahal* of earlier decades. Moreover, in the last decades of tsarism, as a reaction to the diminution of traditionalism among Russian Jewry as a whole, and particularly of its youth, the Russian rabbinate attempted to extend its power to areas of Jewish life that it previously had not controlled, and this attempt was welcomed by tsarist authorities as a break against revolutionary sympathies among Jews.

In the aftermath of the demise of tsarism in the winter of 1917 and the establishment of the Provisional Government, elections were held for an all-Russian Jewish congress, one of whose first measures was supposed to be the

organization of democratically elected Jewish communities throughout the land. However, the Bolshevik Revolution of October–November 1917 stymied that plan, as well as brought an end to the nearly 700-year history of Jewish legal autonomy in Eastern Europe.

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