Regulating Communal Space: Mikvaot in Seventeenth-Century Altona

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ABSTRACT: Over the course of a few years in the latter half of the seventeenth century, the community of Altona made several changes in the administration of local ritual baths. A series of entries in the communal pinkas, or logbook, elucidates how the community raised funds from mikvaot, how lay and rabbinic leaders worked together, and how communal leaders regulated ritual space both in homes and in communal space.

This presentation is for the following text(s):

- Communal Logbook of Altona (CAHJP AHW 14 [50])
- Communal Logbook of Altona (CAHJP AHW 14 [90])
- Communal Logbook of Altona (CAHJP AHW 14 [91])

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Introduction

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Introduction

The texts presented here are all excerpts from the pinkas of Altona, held at the Central Archives for the History of the Jewish People, AHW 14. The communal pinkas, or record book, contains notes of some of the decisions issues by the parnassim, the lay leaders of the Jewish community. Altona, subject to the Danish king, was part of the triple Jewish community together with neighboring Hamburg and Wandsbeck.

These three texts concern the policies of the parnassim towards local ritual baths, mikvaot. The first text, from 1681, describes the workings of two mikvaot, houses in individual homes. Payment for usage, how that would be divvied up, and regulations were set up by the community, binding on all residents of the triple community, under penalty of excommunication.

The second text, from 1685, is an entry in the pinkas that reports of the parnassim’s successful attempt to undo the excommunicative ban they had devised four years earlier. Their motivation was to force community members to use the newly built communal mikveh, rather than the mikvaot in the homes of individuals whose use had been mandated by the previous takkanah. The third text is a record of the announcement made in synagogue which informed community members of the new ban, mandating use of the communal mikveh.

These texts inform about the daily workings of communal institutions, the relationship between lay and rabbinic leaders, the financial concerns of communal leaders, and the use of social control to create communal policy. It also highlights the tensions inherent to a growing community, specifically dealing with ritual space in private and public locations.

Bibliography
Jutta Braden, Hamburger Judenpolitik im Zeitalter lutherischer Orthodoxie 1590-1710,
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**Bibliography**
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Pinkas Altona, CAHJP AHW 14 [50]

Today, Sunday, the twelfth of Adar [5]441 [1681] according to the small counting. We agreed together in a unified agreement that the mikveh [ritual bath] in the house of Jacob the son of Moses Joseph, and the mikveh in the house of the widow Pessim the daughter of Abraham Levivka. The wife of the aforementioned Jacob and the aforementioned widow should be appointed [to run] the [respective] mikveh in her [sic] house, and the community, may it be protected by God, should make a sealed coffer for each mikveh. And the woman who is dipping [ritually in the mikveh] should give eight schilling to the aforementioned appointee, under penalty of excommunication, and the aforementioned appointed woman should put eight schilling, in the presence of the woman who is dipping, those same eight schilling immediately into the coffer, under penalty of excommunication. And a poor woman, whose husband has no official worth should give four schilling as is discussed above, into the hand of the aforementioned appointee, and the aforementioned appointee should place those four schilling into the coffer immediately, in the presence of the woman who is dipping, under penalty of excommunication. And the two aforementioned appointees, each one should bring the coffer with the money every month to the parnas ha-hodesh [designated monthly lay communal leader], under penalty of excommunication. And the parnas ha-hodesh will buy a new pinkas [record book] to write in it each month what they bring. And when half a year has passed, the parnas ha-hodesh will give to the aforementioned Jacob ten Reichstahler from the coffer. And to the widow seven and a half Reichstahler. And he shall divide the remainder [of the amount from the coffer] equally, half distributed to our community of Altona, and half to the aforementioned owners of the mikvaot, on behalf of their expenses and their efforts. Each one [of the mikveh owners] will take half of what she brings to the community. And if, after a full year has passed, the
aforementioned Jacob has not amassed eighty mark, and the aforementioned widow has not amassed sixty-five mark, then the parnas ha-hodesh should give to them, from the coffer, before the division [of the funds], the amount necessary to meet the aforementioned amount [of eight or sixty-five mark.] And everything that remains [after the eighty or sixty-five mark has been paid] they should divide, half to the community, and half to that mikveh owner. And if the Jews of Hamburg wish to dip their wives in the aforementioned mikvaot, then it is incumbent on the aforementioned mikveh owners not to permit them to dip unless each woman has given as is described above, under the terms of punishment described above. And the community of Wandsbeck, and other residents who do not have official residential rights from among the three communities are required to dip their wives specifically in the two aforementioned mikvaot with the aforementioned decrees and punishments. And if they do not go to the aforementioned mikvaot, then we have decreed and accepted upon ourselves and on the generations that come after us, that for all eternity, they shall not benefit from any of the benefits of our community, whether [they be] wealthy or poor, whether there is a reason that arises, or an accusation, be it as it may, in life and in death, and we shall not give to them a burial place, and similarly, what is required for burial, to them and to their children, for all eternity. And if the aforementioned Jacob does not take it upon himself to do, and listen, and observe what has been described above, then it is incumbent upon the parnas ha-hodesh to decree in all of the synagogues in Altona and Hamburg within three days, that from today forward, the mikveh of Jacob is prohibited to us under the penalty of herem from the times of Joshua the son of Nun, to women, men, and male youths. And anyone who transgresses and dips shall be under the punishment of excommunication, and it is incumbent upon the parnas ha-hodesh, when it becomes known that someone, whether from close by or far away, has transgressed the excommunicative ban, to immediately call the community to a council on the following Sunday, and it shall be made known to the community who transgressed, and the community, may it be preserved by God, is obligated to penalize that person with all of the penalties and disgraces applicable to one who transgresses an excommunicative ban. All details and specifics we have accepted upon ourselves under penalty of excommunication, to affirm and observe all that is described above, and to establish it as truth, we have signed this.

Moses b. Rabbi Yehuda of blessed memory, parnas ha-hodesh
Natan, son to his mother and father of blessed memory Neumark
Israel son to his parents Moses Bersht, of blessed memory
Meir Heksher
Hayyim Klisher
Pinhas Seligman Narran
Shimon b. Efraim
Endnotes

1 The text literally reads: If the Jews of Hamburg do not wish to dip their wives in the aforementioned mikvaot, then it is incumbent on the aforementioned mikveh owners not to permit them to dip unless each woman has given as is described above, under the terms of punishment described above. I believe that this is a scribal error, since the same phrase, “do not wish to dip their wives” is used two sentences later in reference to the Jews of Wandsbeck and all Jews in the three communities without official residence rights.

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Pinkas Altona
17th century

Prepared by Debra Kaplan, Yeshiva University, USA

CAHJP AHW 14 [50]

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Pinkas Altona, CAHJP AHW 14 [90]

May it be written to the last generation, the parnassim and leaders, who have signed below, have asked a question of the head of our rabbinical court, the honorable R. Meshullam Zalman Hirsch, in conjunction with the judges of the community, the honorable R. Tevele and the honorable R. Isaac, and the honorable R. Samuel Oberles, and the honorable R. Shlomo Helersom. In this language was the question asked. Being that there are two mikvaot in our community Altona, two mikvaot with running water, in the houses of some individuals; now the community, may it be preserved by God, has built a mikveh according to the laws and faith of our holy Torah, without any detriment, in a location [that is] private, modest, and esteemed. Does our community have the power to prohibit [use] of the other mikvaot. And so it came from their mouths and they agreed that our community does have the power to prohibit [use of those mikvaot] and to levy a penalty fine. And thus the community has agreed that starting from this Sabbath, from the pulpit in the following language it shall be announced: That the two mikvaot that until now have been used as mikvaot, are welcome to be used by the women who live in those houses, only. And others, whether from far or near, are not permitted to dip there. And further, no individual may build a new mikveh, but all women must specifically use the communal mikveh. And whatever women, whether local or foreign, goes to an individual mikveh shall pay a fine of four Reichstahler, half to our lord the king, and half to charity, with no exceptions. And the community, may it be preserved by God, must notify the women who pass, in the synagogue on the holy Sabbath, that [any such] immersion is to be seen as forbidden. Decreed today, Sunday, the twenty fifth of the first month of Adar, 5[455] [1685] to the small counting, here in the community of Altona, and to establish its truth, we have signed this.

Judah Jeve the son of his father the honorable Isaac of blessed memory Bacharach
Atschult, parnas ha-hodesh
Hayyim Klein
Meier, son to his father Efraim of blessed memory, Heksher
Johanan son of our teacher the rabbi Joseph Moshes Aaron Luria of blessed memory
Nathan son to his father Aaron of blessed memory Neumark
Pinhas Seligman Narren

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Archive: CAHJP AHW 14
Pinkas Altona, CAHJP AHW 14 [91]

Yesterday on Sabbath day, the announcement which is written below was read aloud:
Hear this, holy community, that the judges, parnassim, and leaders have made a
notification: Because our community has made a mikveh according to the laws and faith
of our holy Torah, as is common throughout the diaspora of Israel, therefore we are
notifying that from today forward, no woman, whether from this community [literally a
head of household] or foreign, may go to the mikveh belonging to an individual, under
the penalty of four Reichstahler, half to our lord the king, and half to charity, with no
forgiveness. And the words of this present ban in our names, [says] that it [the
individual mikveh] has the prohibition of dipping, and her immersion is not an
immersion.1 And also, no individual may make himself a mikveh, even just for the
members of his own household, all the more so, for others. And for those and those2
that already had a mikveh in their homes before today, it is permitted for the members
of his family who reside in that same house; but for others, even children and relatives,
it is forbidden to use the mikveh of an individual, and a fine and punishment will be
extended. In accordance with this, warning has been given and the fines and disgraces
were heard, and all Israel will see and hear. .

Inscribed today, Sunday the twenty-eights of Adar [5]455[1685]. 3
Judah Jeve the son of his father the honorable Isaac of blessed memory Bacharach
Atschult, parnas ha-hodesh
Hayyim Klein
Meier, son to his father Efraim of blessed memory, Hesksher
Johanan son of our teacher the rabbi Joseph Moshes Aaron Luria of blessed memory
Nathan son to his father Aaron of blessed memory Neumark
Pinhas Seligman Narren
Endnotes
1 Meaning that if a prohibited person should use the mikveh of an individual in violation of the ban, her immersion will be considered invalid halakhically.
2 It is possible that the double reference refers to both homes in which mikvaot were available.
3 Note that the Sabbath on which the announcement would have been made was Shabbat Mevarkhim, when the new month would be blessed and announced. It is possible that this date was chosen intentionally as more residents, perhaps even women, would have been in attendance to hear such an important announcement.

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Endnotes

1 This form of the letter mem appears in the text, which is why I have used it here.