

# Historical Notes

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## THE AUTHORITY OF THE TRUSTEES *of the Ashkenazic Hoogduitsche Congregation* IN PARAMARIBO, SURINAM

It is not known with certainty when the Jews first settled in Surinam. The oldest minutes in the archives of the Netherlands Portuguese Jewish Congregation in Surinam indicate that as early as 1639 Jews were already settled in that territory.<sup>1</sup>

Mr. R. Bylsma, director of the Royal Archives of the Netherlands, is of the opinion that the establishment of the Portuguese Jewish Community in Surinam occurred in 5422 (1661/1662).<sup>2</sup>

Gradually, Ashkenazic Jews moved into Surinam; in 1690 they did not exceed more than forty or fifty individuals.<sup>3</sup>

Their community kept increasing, and on account of differences which arose between the Sephardim and the Ashkenazim, the two groups separated by order of the directors of the Geoyctroyeerde Sociëit, on January 6, 1734.

By agreement entered into on January 5, 1735, in the presence of Governor General Jacob Alexander de Cheusses and delegates of both Jewish congregations, the synagogue belonging to the Portuguese Congregation at the Keizerstraat, Neveh Shalom, was transferred to the Ashkenazic Netherlands Jewish Congregation.

The young Ashkenazic congregation, in its early days, held divine service according to the Portuguese ritual, and in the beginning only Portuguese cantors were appointed.

The newly established congregation had elected a council or board of trustees before the deed of separation was issued.

From the very beginning the parnasim ("wardens") of the congregation had great power, and were authorized to punish violations of religious laws. They were empowered to submit to the governor the names of those members who were guilty of bad behavior and had

<sup>1</sup>P. A. Hilfman, "Some Further Notes on the History of the Jews in Surinam," *Publications of the American Jewish Historical Society*, XVI (1907), 7 ff.

<sup>2</sup>R. Bylsma, "Establishment of the Portuguese Jewish Congregation in Surinam," *West Indische Gids*, 1920.

<sup>3</sup>David J. C. Nassy and others, *Essai historique sur la Colonie de Surinam avec l'histoire de la Nation Juive Portugaise*, 2 Vols., Paramaribo, 1788.



*Photo Jong, Paramaribo*

ASHKENAZIC SYNAGOGUE, PARAMARIBO

thus disgraced the nation (Jewish congregation). Such malefactors could then be expelled from the colony.

It was common practice for the members to criticize those set in authority over them; it is understandable that the parnasim, on their part, took all precautions to maintain their power.

One of the first decisions made in 1734 by the *mahamad* ("board") was that any revolt against the parnas or gabay ("treasurer") would be vigorously punished.

On that very same day a decision was arrived at that sounds strange for a congregation which was governed by strict orthodox traditions. The board forbade synagogue members to go out on the streets with music on *Simhat Torah* and *Shabbat Bereshit*, occasions of great joy. This restriction by the board was motivated probably by the desire not to draw too much attention to the Jews.

On different occasions, the regulations touching on the authority of the council were re-enacted. In 1779 all gossip about the trustees in inns and bars was prohibited under penalty of a fine of fifty florins. The following year it was again announced that gossiping about the council would be vigorously punished.

Also, in other ways, it was demanded that members respect the authority of the council. In 1786 everyone called up for the reading of the Torah was obliged to say a *misheberach* ("blessing") in honor of the parnas.

That it was not easy for the trustees to govern the congregation in those days is indicated by the following statutes:

1. In September, 1785, the members were warned not to fight on the Day of Atonement, and the beadle was ordered to keep his house closed on that day. Apparently the congregants loafed there.

2. A regulation of March, 1799, prohibited the turmoil on Purim caused by the congregants' making all kinds of noise when the name of the arch-villain Haman was mentioned during the reading of the Book of Esther. Anyone creating a disturbance in the synagogue at that time was subject to a fine of 200 florins.

3. In 1809 a prohibition was published with regard to smoking in the yard of the synagogue on holidays.

4. In 1828 it was announced that those who left the synagogue before the service was over would be punished. Similar enactments, of course, are found in the minute books of European congregations.

The following cases, in which the council punished members, are of interest: In 1798 the board was informed that Izak Ephraim Polak had violated a holiday when provoked by a certain Goedman. The latter had marked Polak's pipe with a "P." The case was investigated, and Polak was sentenced to implore God for forgiveness for his sin. The penance was to be made on a Monday between the afternoon and

the evening services. In addition, he was to pay thirty-nine half-florins into the congregational treasury. Goedman, who had started the trouble, was mulcted a similar amount. On December 12, 1803, two members, Izak Abraham de Vries and Ephraim Abrahams, were sentenced to do penance, because on arriving from North America they went ashore on the Sabbath.

There are frequent references in the records to persons who violated religious laws and were readmitted to the congregation only after they had made proper penance. They had to fast for four consecutive Mondays and Thursdays, sit in the synagogue on the mourners' bench, and then, in the presence of the council, invoke God's forgiveness.

Severe punishment was meted out to the youngster Jacob Alexander Eliazer, who, on May 2, 1810, left the synagogue during the reading of the Amidah (the solemn standing prayer) at a time when his presence was necessary to constitute a quorum for prayer (minyan). Consequently the services could not continue. The council decided that in the period between the afternoon and the evening prayer, he was to stand on the *tebah* ("the reading platform") and implore God's pardon. Then, by permission of the father, the boy was to be flogged by the beadle.

The council carefully supervised the observance of the dietary laws. In 1805 it was announced that bread baked in the garrison was prohibited. Unleavened bread for Passover was imported from Holland.

The power of the council was terminated and its authority to levy fines and inflict other punishments was revoked by a royal decree of April 2, 1825.

*Paramaribo, Surinam*

PHILIP A. SAMSON

### *Elhanan Winchester on American Liberties, 1792*

Elhanan Winchester, who became a leader of the Universalist Church, was born in Brookline, Massachusetts, in 1751. At the age of eighteen he joined the open-communion Baptists. An outstanding speaker, Winchester was an effective leader of the Rehoboth revival of 1771, after which he became a closed-communion Baptist and a strict Calvinist. Leaving his Massachusetts pastorate, the young minister went to South Carolina and then to Philadelphia, in 1780.

Once more Winchester changed his religious opinions and reverted to a more liberal position. Embracing the doctrines of John Murray, the English Universalist, Winchester left America to preach the doctrines of Universalism in England, where the movement had first arisen. He arrived there in 1787 and rapidly gained fame as a preacher. While

abroad, he added to his list of friends, which already included the noted American scientist, Benjamin Rush, the name of John Wesley, who, with his brother Charles, was a leader of the revival in the Anglican Church from which Methodism sprang.

After his sudden return to the United States in 1794, a return motivated by family considerations, Winchester, now one of Universalism's ablest leaders, and the first of the denomination to make use of biblical exegesis, challenged Thomas Paine's *Age of Reason* and sought to refute the currents of naturalism which had entered the country as a by-product of the French Revolution. Although he was an active and important leader of early Universalism, the denomination's creed was named not after him, but after Winchester, New Hampshire, where it was adopted.

The following extract is taken from Winchester's *Oration on the Discovery of America* (London, 1792), pp. 27-28.

The discovery of America has been, and will continue to be, of vast importance to mankind.

But above all, I consider the discovery of America as of the greatest importance to mankind, as it has pleased God to distinguish it from all other countries, in causing it to be the first place upon the globe where equal, civil, and religious liberty has been established.

If my styling America, in the beginning of this discourse, *the very birth place of civil and religious liberty*, should be looked upon as too bold a figure of speech, yet I trust none will refuse to allow it to be the very first country where true equal, civil, and religious liberty has been established.

The United States of America have the happiness of teaching the world the following, grand, and important lessons:

1. That it is possible for a large and extensive country to be ruled by a republican form of government, without monarchy or aristocracy.

2. That religious worship may be well supported without any legal establishment; and that, to allow all to think freely for themselves in matters of religion, and worship God according to the dictates of their own consciences, is the best policy.

3. That to place all denominations upon an exact equal footing, is the ready way to destroy all animosity and strife, all bigotry, persecution, and intolerance, and tends effectually to promote peace, harmony, and good will, in the community.

4. That Church and State may both fulfill and flourish without being allied together; Christ's kingdom is not of this world; and if all the kingdoms and governments of the earth were overturned, the Church would still remain, for it can never be destroyed. And it is certain that political government may exist without any support from the Church. The idea that Church and State must be married together, in order to

exist, and that, if one falls, the other must come down, is false and absurd to the last degree.

5. That changing the punishment of death for hard labour and confinement, tends to prevent crimes, far more than the penal code of laws, which inflicts death as the punishment of almost every offence.

6. That the more mild and equitable government is, the more happy and contented the people will be, and that such a government, far from being weaker and more inefficacious than arbitrary governments, is really far stronger, and is not in too much danger of being overturned.

7. America has also shown the world, that to admit the Jews to all the privileges of natural born subjects, is far from being a dangerous experiment, as has been generally supposed. I cannot see that allowing them such privileges destroys one prophecy, or will in the least hinder their return to their own land, when the time shall come. And I am far from being afraid that God will be angry with the United States for giving to Jews, in common with other nations, the equal blessings of protection, liberty, property, etc. I find threatenings in Scripture against those nations that have afflicted the Jews, but none against those who afford them rest and peace. And, I am happy in being able to say that the government of the United States has never been guilty of oppressing that despised nation, but on the contrary, invites all (who choose to reside in that country) to a full and equal participation of all the blessings and privileges which they themselves enjoy.

### *Leo Merzbacher\**

Leo Merzbacher is best remembered for his part in the early history of B'nai B'rith, and as the author of that order's first burial rite. As the first ordained rabbi to follow his calling in America<sup>1</sup>, however, he has been sadly neglected. This has been due mainly to a lack of source material. Even the little we may know about him today comes, as we shall see, from secondary and often conflicting sources.

In recent years the late Dr. Hyman G. Enelow, of Temple Emanu-El, New York, carried on a wide correspondence in an attempt to trace the life and background of a fellow-bachelor-rabbi who had been the first man to occupy the Temple Emanu-El pulpit. Most of Dr. Enelow's findings are incorporated in this paper together with other known and as yet unknown material on Merzbacher.

\*I wish to thank Dr. Julius Mark, of Temple Emanu-El, New York, for making the Enelow File on Merzbacher available to me, as well as the Temple's early minute books.

Leo Merzbacher was born on March 16, 1809, in Fürth, Bavaria, where his father, Salman, operated a small grocery store. His mother, Rachel, died when he was two, and his father then married his wife's younger sister, Dina. Salman Merzbacher raised seven children, all of whom preceded him to the grave, the victims of tuberculosis. It seems that of his sons only Leo exhibited some inclination toward learning. From the beginning the boy showed promise as a talmudist at the local Yeshivah. His father, therefore, decided to send him to study with the *Hatam Sofer* (Moses Schreiber) in Pressburg, "from where he returned with his *morenu* (rabbinical degree)."<sup>2</sup>

At that time the Bavarian laws required that all rabbis seeking a pulpit within the state submit to an official examination, prerequisite to which was attendance at a university.<sup>3</sup> Consequently, on April 13, 1830, Merzbacher registered at the University of Erlangen as a student in philosophy and theology. However, his registration was held up pending his matriculation, within one and a half years, from a high school.<sup>4</sup> After having studied at Erlangen (and possibly at Munich), Merzbacher successfully took the required examination. However, his attempts to find a position in his native land proved fruitless.<sup>5</sup>

The probable date for Merzbacher's arrival in New York may be put at 1841.<sup>6</sup> His first documented official act in New York City took place during the opening ceremonies of Temple Rodeph Sholom, in 1842, where he delivered the dedication sermon.<sup>7</sup> He probably served Rodeph Sholom and Anshe Chesed simultaneously and in a full-time capacity, as did Rabbi Max Lienthal following him.<sup>8</sup> In 1844 Merzbacher was dismissed from his position because of his Reform tendencies, being specifically charged with advocating "the uncovering of the hair by women."<sup>9</sup> His dismissal seems to have been the cue for several like-minded men to disassociate themselves from the old German congregations in order to form the *Cultus Verein* ("religious association") which almost immediately developed into Temple Emanu-El with Merzbacher as its spiritual leader.<sup>10</sup>

The first entries in the minute books of Temple Emanu-El, on April 27, 1845, are marked by two curious items. The first time Merzbacher's name appears in the record, the secretary began writing "Rabbiner Dr." However, after having written the letters "R a b" the secretary inked out his mistake, substituting in its stead "Geistlicher (the Reverend) Dr. Merzbach." The Merzbach instead of Merzbacher seems purely a misspelling of the name. Interestingly enough, his father's name, according to the German records, was Salman Merzbach.<sup>11</sup>

The minute books of Temple Emanu-El also reveal that Merzbacher's consumptive illness made it progressively more difficult for him to attend to his rabbinic duties. His prayer book, *Seder Tefillah*, which was ordered by the directors as early as 1849, took six years to

complete under repeated official pressure. Merzbacher's preaching became so irregular that on February 10, 1852, the directors felt themselves constrained to take cognizance of his deteriorating health and to declare the Emanu-El pulpit vacant. To this action Merzbacher replied with a sharp letter which moved the directors to defend their position, stating that their act was not directed against Merzbacher's person. Furthermore, they felt themselves obliged to state that they did not "wish to receive further protests, admonitions and rebukes, and would feel themselves necessitated to leave them unanswered."<sup>12</sup>

Only one of Merzbacher's letters to the directors of Temple Emanu-El found its way into the minute books. It is perhaps worth including as an illustration of his somewhat caustic attitude toward the board.

Honorable Directors:

The undersigned lately received from Madame Theresa Wise, in behalf of the ladies of the congregation, a new clerical robe as a token of esteem and encouragement, a similar one having been presented to Reader Rubin, too. But as the same differs considerably from those at present used, in material as well as in style, he considers it necessary to inform the Directors, and through that body consult the Cultus Committee for the privilege of its use.

As noble and as well meaning as this action on the part of the ladies may be, and as satisfactory as it may be with every individual member of the congregation, nevertheless, the undersigned could not forgo the regulation to inform your body, and obtain the consent of the committee whose approval is necessary for any change purporting to its charge.

Merzbacher's relations with the directors could not have improved when, on January 7, 1855, he was instructed to prepare his sermons in manuscript and to have them lying on the pulpit during his delivery.

Four months later, on April 8, 1855, a second resolution was passed "to advertise for an assistant minister able to speak English and German and otherwise capable of filling the position." Merzbacher objected strongly to this resolution, too, and seems once more to have been able to delay action by the directors. In any case, no assistant or replacement had as yet been found when, on Shemini Azeret, 1856, while walking home from Temple, Merzbacher collapsed and died.

A question that arises with regard to several of the early rabbis in America concerns their academic background. Whether Merzbacher was in possession of an academic doctorate degree is open to doubt. Lilienthal notes that he did complete his studies at Erlangen.<sup>13</sup> An article, published in the *Menorah Monthly* in 1887, recalls that on his arrival in New York, Merzbacher was in possession "of credentials of established rabbinical authority and of a full collegiate education."<sup>14</sup>

However, Dr. Enelow's inquiries from the universities at Erlangen and Munich uncovered no record of a higher degree.<sup>15</sup>

Contrary to former opinion, it is hardly to be doubted any more that Merzbacher did have proper rabbinic ordination. His title *morenu*, to which Lilienthal attests in his necrology, indicates that much. Also, as H. B. Grinstein has pointed out in *The Rise of the Jewish Community of New York, 1654-1860*, we must assume ordination for Merzbacher "since he was asked by Anshe Chesed to *pasken sheelot* [resolve ritual problems] (1844). If the Anshe Chesed people had not seen his ordination certificate, he would not have been requested to engage in such rabbinical work, since Lilienthal was required in 1845 to produce proof of his ordination upon election to the rabbinate of the German Synagogues in New York."<sup>16</sup>

The mystery which surrounds Merzbacher is heightened even more by the fact that among the early rabbis his is the only likeness which has not been handed down to us in the form of a picture. Fortunately, Lilienthal, in his necrology, goes into some descriptive detail: "Dr. Merzbacher was a man of medium height and of average build. His hair, which showed no sign of grey, was always well groomed; his high majestic forehead bespoke a serious, calm thinker; two dark eyes peered intently from behind gold rimmed spectacles upon everyone he addressed; his thin cheeks, which were either a deathly pale or a sickly pink, revealed the germ of disease which he carried within himself; his straight lips, which tended to appear hard, nevertheless liked to smile; his walk and appearance were uniformly calm, partly due to his illness, and partly due to the trials which he had survived."<sup>17</sup>

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## N O T E S

<sup>1</sup>Dr. Isaac Nordheimer preceded Merzbacher to America, but did not actively engage in the rabbinate. Max Lilienthal, "Necrology of Leo Merzbacher," *Die Deborah*, II (1856), p. 81.

<sup>2</sup>*ibid.*

<sup>3</sup>*ibid.*

<sup>4</sup>The Enelow File on Merzbacher, in the library of Temple Emanu-El, New York.

<sup>5</sup>Max Lilienthal, *op. cit.*, p. 81.

<sup>6</sup>Lilienthal, *op. cit.*, p. 81, puts the date of Merzbacher's arrival at 1840. In an editorial published in *The Israelite* on July 24, 1865, I. M. Wise places his arrival in 1844.

<sup>7</sup>The Enelow File on Merzbacher.

<sup>8</sup>H. B. Grinstein, *The Rise of the Jewish Community of New York, 1654-1860*, Philadelphia, 1945, p. 91.

<sup>9</sup>*ibid.*, p. 347.

<sup>10</sup>The Enelow File on Merzbacher.

<sup>11</sup>*ibid.*

<sup>12</sup>See the entry in the Temple Emanu-El minute book, dated March 6, 1852.

<sup>13</sup>Max Lilienthal, *op. cit.*, p. 81.

<sup>14</sup>*Menorah Monthly*, XI (1887), p. 678. See the Enelow File on Merzbacher.

<sup>15</sup>The Enelow File on Merzbacher.

<sup>16</sup>H. B. Grinstein, *op. cit.*, pp. 543-44, note 16.

<sup>17</sup>Max Lilienthal, *op. cit.*, p. 81.